

1                   STATE OF CONNECTICUT  
2                   CONNECTICUT SITING COUNCIL  
3

4                   Petition No. 1410

5           Greenskies Clean Energy, LLC petition for a  
6           declaratory ruling, pursuant to Connecticut  
7   General Statutes Section 4-176 and Section 16-50k,  
8           for the proposed construction, maintenance and  
9   operation of a 3.0-megawatt-AC solar photovoltaic  
10   electric generating facility on two parcels at the  
11   Elmridge Golf Course located to the east and west  
12   of North Anguilla Road at the intersection with  
13   Elmridge Road, Stonington, Connecticut, and  
14   associated electrical interconnection.  
15

16                   VIA ZOOM AND TELECONFERENCE  
17

18   Continued Public Hearing held on Tuesday, October  
19   20, 2020, beginning at 2 p.m. via remote access.  
20

21   H e l d     B e f o r e:

22                   JOHN MORISSETTE, Presiding Officer  
23  
24

25                   Reporter:   Lisa L. Warner, CSR #061

**A p p e a r a n c e s:**

**Council Members:**

**ROBERT HANNON**

**Designee for Commissioner Katie Dykes  
Department of Energy and Environmental  
Protection**

**QUAT NGUYEN**

**Designee for Chairman Marissa Paslick Gillett  
Public Utilities Regulatory Authority**

**ROBERT SILVESTRI**

**DANIEL P. LYNCH**

**Council Staff:**

**MELANIE BACHMAN, ESQ.**

**Executive Director and  
Staff Attorney**

**ROBERT D. MERCIER**

**Siting Analyst**

**LISA FONTAINE**

**Fiscal Administrative Officer**

**A p p e a r a n c e s: (Cont'd.)**

**For Greenskies Clean Energy, LLC:**

**PULLMAN & COMLEY, LLC**

**90 State House Square**

**Hartford, Connecticut 06103-3702**

**BY: LEE D. HOFFMAN, ESQ.**

**For Douglas Hanson:**

**GERAGHTY & BONNANO, LLC**

**38 Granite Street**

**P.O. Box 231**

**New London, Connecticut 06320**

**BY: MICHAEL S. BONNANO, ESQ.**

**For Proponents for Responsible Emplacement of  
Stonington Solar:**

**EAG LAW, LLC**

**21 Oak Street, Suite 601**

**Hartford, Connecticut 06106**

**BY: EMILY A. GIANQUINTO, ESQ.**

1                   MR. MORISSETTE: Good afternoon, ladies  
2 and gentlemen. This continued remote evidentiary  
3 hearing is called to order this Tuesday, October  
4 20, 2020, at 2 p.m. Can everybody hear me okay?

5                   (No response.)

6                   MR. MORISSETTE: Thank you. My name is  
7 John Morissette, member and presiding officer of  
8 the Connecticut Siting Council.

9                   As you are aware, there is currently a  
10 statewide effort to prevent the spread of the  
11 Coronavirus. This is why the Council is holding  
12 this remote hearing, and we ask for your patience.

13                   If you haven't done so already, I ask  
14 that everyone please mute their computer audio and  
15 telephones now. Thank you.

16                   A copy of the prepared agenda is  
17 available on the Council's Petition No. 1410 web  
18 site, along with the record of this matter, the  
19 public hearing notice, instructions for public  
20 access to this remote public hearing, and the  
21 Council's Citizens Guide to Siting Council  
22 Procedures.

23                   At this time, I'll ask the other  
24 members of the Council to acknowledge that they  
25 are present when introduced for the benefit of

1 those who are on audio.

2 Mr. Silvestri.

3 (No response.)

4 MR. MORISSETTE: Mr. Silvestri, are you  
5 available?

6 MR. SILVESTRI: Mr. Morissette, can you  
7 hear me now?

8 MR. MORISSETTE: Yes, I can hear you  
9 now. Thank you.

10 MR. SILVESTRI: I am present. Thank  
11 you.

12 MR. MORISSETTE: Thank you.

13 Mr. Hannon.

14 MR. HANNON: I am here.

15 MR. MORISSETTE: Thank you, Mr. Hannon.

16 Mr. Nguyen.

17 MR. NGUYEN: Present.

18 MR. MORISSETTE: Thank you, Mr. Nguyen.

19 Mr. Lynch.

20 (No response.)

21 MR. MORISSETTE: Mr. Lynch, I see that  
22 you're connected but your audio is not available  
23 yet, so we'll move on.

24 Executive Director Melanie Bachman.

25 MS. BACHMAN: Present. Thank you.

1                   MR. MORISSETTE: Thank you. Staff  
2 Analyst Robert Mercier.

3                   MR. MERCIER: Present.

4                   MR. MORISSETTE: Thank you.  
5 Fiscal Administrative Officer Lisa  
6 Fontaine.

7                   MS. FONTAINE: Present.

8                   MR. MORISSETTE: Thank you. This  
9 evidentiary session is a continuation of the  
10 remote public hearing held on October 1, 2020. It  
11 is held pursuant to the provisions of Title 16 of  
12 the Connecticut General Statutes and of the  
13 Uniform Administrative Procedure Act upon a  
14 petition received from Greenskies Clean Energy,  
15 LLC for a declaratory ruling pursuant to  
16 Connecticut General Statutes 4-176 and Section  
17 16-50k, for the proposed construction, maintenance  
18 and operation of a 3.0-megawatt-AC solar  
19 photovoltaic electric generation facility on two  
20 parcels at the Elmridge Golf Course located to the  
21 east and west of North Anguilla Road at the  
22 intersection with Elmridge Road, Stonington,  
23 Connecticut. This petition was received by the  
24 Council on June 4, 2020.

25                   A verbatim transcript will be made of

1 this hearing and deposited with the Stonington  
2 Town Clerk's Office for the convenience of the  
3 public.

4 We will continue with the appearance of  
5 the petitioner, Greenskies Clean Energy, LLC.  
6 Attorney Hoffman, please begin by identifying the  
7 new exhibits you have filed in this matter and  
8 verifying the exhibits by the appropriate sworn  
9 witnesses.

10 MR. HOFFMAN: Very well,  
11 Mr. Morissette. Thank you. We have with us today  
12 Mr. Jean-Paul La Marche of Greenskies Clean  
13 Energy, Ms. Gina Wolfman of Greenskies Clean  
14 Energy, Mr. Ryan Linares of Greenskies Clean  
15 Energy, Mr. Michael Gagnon of Milone & MacBroom,  
16 and Ms. Megan Raymond of Milone & MacBroom.

17 J E A N - P A U L L A M A R C H E,  
18 G I N A L. W O L F M A N,  
19 R Y A N L I N A R E S,  
20 M I C H A E L R. G A G N O N,  
21 M E G A N B. R A Y M O N D,

22 called as witnesses, being previously duly  
23 sworn (remotely) by Ms. Bachman, continued to  
24 testify on their oaths as follows:  
25

1 DIRECT EXAMINATION

2 MR. HOFFMAN: I suppose I will have to  
3 go through for all five witnesses. So I'll begin  
4 with Mr. La Marche. Mr. La Marche, are you  
5 familiar with the Late-Filed exhibits and  
6 supplementary material that was filed on October  
7 13, 2020 in this petition?

8 THE WITNESS (La Marche): Yes, I am.

9 MR. HOFFMAN: And did you prepare or  
10 cause to be prepared those materials?

11 THE WITNESS (La Marche): I did.

12 MR. HOFFMAN: And are they accurate to  
13 the best of your knowledge and belief?

14 THE WITNESS (La Marche): Yes, they  
15 are.

16 MR. HOFFMAN: And do you adopt them as  
17 your sworn testimony here today?

18 THE WITNESS (La Marche): I do.

19 MR. HOFFMAN: Ms. Wolfman, I'll ask you  
20 the same questions about the October 13, 2020  
21 filing. Are you familiar with that filing?

22 THE WITNESS (Wolfman): Yes, I am.

23 MR. HOFFMAN: Did you prepare or cause  
24 that filing to be prepared?

25 THE WITNESS (Wolfman): I did.



1 MR. HOFFMAN: And is it accurate to the  
2 best of your knowledge and belief?

3 THE WITNESS (Wolfman): Yes.

4 MR. HOFFMAN: And do you adopt it as  
5 your sworn testimony here today?

6 THE WITNESS (Wolfman): Yes, I do.

7 MR. HOFFMAN: Mr. Gagnon, I'll ask you  
8 the same question. Are you familiar with the  
9 Late-Filed exhibit and supplementary materials  
10 that were filed on October 13th?

11 THE WITNESS (Gagnon): Yes, I am.

12 MR. HOFFMAN: And did you prepare those  
13 materials or cause those materials to be prepared?

14 THE WITNESS (Gagnon): I did.

15 MR. HOFFMAN: And are they accurate to  
16 the best of your knowledge and belief?

17 THE WITNESS (Gagnon): Yes.

18 MR. HOFFMAN: And do you adopt them as  
19 your sworn testimony today?

20 THE WITNESS (Gagnon): Yes.

21 MR. HOFFMAN: And Ms. Raymond, I'll ask  
22 you the same questions. Are you familiar with the  
23 October 13th supplementary filings? Ms. Raymond,  
24 I believe you're on mute.

25 THE WITNESS (Raymond): Thank you,

1 Attorney Hoffman. Yes, I am.

2 MR. HOFFMAN: And did you prepare or  
3 cause those materials to be prepared?

4 THE WITNESS (Raymond): Yes.

5 MR. HOFFMAN: And are they accurate to  
6 the best of your knowledge and belief?

7 THE WITNESS (Raymond): Yes.

8 MR. HOFFMAN: And do you adopt them as  
9 your sworn testimony here today?

10 THE WITNESS (Raymond): I do.

11 MR. HOFFMAN: Mr. Linares, I bet you  
12 can guess what's going to happen next. Are you  
13 familiar with the October 13th filings? Mr.  
14 Linares, you're on mute.

15 THE WITNESS (Linares): Can you hear me  
16 now?

17 MR. HOFFMAN: Yes. Thank you. Are you  
18 familiar with the October 13th filings?

19 THE WITNESS (Linares): Yes.

20 MR. HOFFMAN: And did you prepare those  
21 materials or cause them to be prepared?

22 THE WITNESS (Linares): Yes.

23 MR. HOFFMAN: And are they accurate to  
24 the best of your knowledge and belief?

25 THE WITNESS (Linares): Yes.

1                   MR. HOFFMAN: And do you adopt them as  
2 your sworn testimony here today?

3                   THE WITNESS (Linares): Yes.

4                   MR. HOFFMAN: Then Mr. Morissette, with  
5 your permission, I would like to move those  
6 supplementary materials filed on October 13th as  
7 full exhibits and resume cross-examination of the  
8 witness panel.

9                   MR. MORISSETTE: Thank you, Attorney  
10 Hoffman.

11                   Does any party or intervenor object to  
12 the admission of the petitioner's new exhibits?  
13 Attorney Bonnano.

14                   MR. BONNANO: Good afternoon. No  
15 objection.

16                   MR. MORISSETTE: Attorney Gianquinto.

17                   MS. GIANQUINTO: No objection.

18                   MR. MORISSETTE: Thank you. The  
19 exhibits are hereby admitted.

20                   (Late-Filed Exhibits II-B-11a through  
21 II-B-11f: Received in evidence - described in  
22 index.)

23                   MR. MORISSETTE: We will continue with  
24 cross-examination of the petitioner by Douglas  
25 Hanson, Attorney Bonnano.

1                   Attorney Bonnano, is Attorney Friedler  
2 here with you?

3                   MR. BONNANO: No, he's not. It's just  
4 me.

5                   MR. MORISSETTE: Please continue with  
6 cross-examination, please.

7                   MR. BONNANO: Sure. I hadn't actually  
8 started yet. I just wanted to confirm, the  
9 Council doesn't ask about the new exhibits yet, so  
10 just go straight to me? I'm just trying to  
11 familiarize myself with the process.

12                  MR. MORISSETTE: Yes, you haven't  
13 cross-examined at all, so please continue.

14                   CROSS-EXAMINATION

15                  MR. BONNANO: All right. Thank you. I  
16 have some initial questions to touch upon some of  
17 what the Council originally had brought up. I  
18 have them addressed to the specific people like  
19 Ms. Wolfman or Mr. Linares, but again, I think  
20 that if the way that the process, the hearing has  
21 been unfolding, is that if anybody has helpful  
22 information with it, by all means on behalf of  
23 Greenskies, go ahead and answer it.

24                  I want to touch first upon the issue of  
25 the screening. Ms. Wolfman, in particular, do you

1 recall Councilman Harder's question, and I think  
2 you responded with regard to a willingness to work  
3 with neighbors concerning the screening, in  
4 particular?

5 THE WITNESS (Wolfman): Yes, I do  
6 recall that.

7 MR. BONNANO: Okay. And there had been  
8 some testimony by yourself and by Mr. La Marche  
9 about wanting to try to accommodate neighbors in  
10 some way, in particular, I believe you said or  
11 testified that you used best efforts to do that.

12 Can you explain to me or if any other  
13 Greenskies witnesses know how many times Mr.  
14 Hanson actually met with a representative on  
15 behalf of the petitioner?

16 THE WITNESS (Wolfman): I can answer  
17 that. This is Gina Wolfman. After we initially  
18 sent the letter to all the neighbors, I heard from  
19 Mr. Hanson. We spoke a couple times and then  
20 scheduled a meeting on his property, and that  
21 occurred on May 6.

22 MR. BONNANO: Was that the single  
23 in-person meeting that you're aware of, or are you  
24 aware of more meetings in person than that, ma'am?

25 THE WITNESS (Wolfman): That was the

1 single in-person meeting. That was the day we had  
2 scheduled meetings or offered to meet with  
3 neighbors who had requested that. And we did have  
4 a couple conversations. And when we did meet with  
5 Mr. Hanson, we provided the layout, visual  
6 simulations and our draft landscape plan, and we  
7 asked that he provide some feedback. And I do  
8 understand that we were just looking at it on the  
9 property. We met not briefly. We were there for  
10 a few minutes. Mike Gagnon and I were there and  
11 then left our cards and ask that, you know, he  
12 contact us with any specific concerns, screening  
13 either at his property line or any additional  
14 screening or buffering he might be interested in.

15 MR. BONNANO: I'm sorry. Can you just  
16 identify again what you actually showed Mr. Hanson  
17 during that single meeting? I think you  
18 referenced plans.

19 THE WITNESS (Wolfman): We showed a  
20 landscape plan. We showed the preliminary layout.  
21 It was an ortho layout with the facility,  
22 including the landscaping on a layout sheet. And  
23 the visual simulation we did to show the potential  
24 visual condition from the properties at 5 and 6  
25 Woodland Court.

1 MR. BONNANO: Did you represent or do  
2 you recall to what extent you represented that  
3 the, when you say layout plan or the mock-up, I'm  
4 assuming you mean that you showed him a mock-up of  
5 what it would look like with the actual panels in  
6 place and superimposed on a picture, to put it in  
7 layman's terms?

8 THE WITNESS (Wolfman): Yes, it was one  
9 of the layout sheets similar to what's in the  
10 petition currently. It was finalized and  
11 submitted with the petition as a figure. So it's  
12 a layout of the facility over aerial imagery.

13 MR. BONNANO: It was not finalized at  
14 the time that you showed it to Mr. Hanson?

15 THE WITNESS (Wolfman): No, it was  
16 still in the works. It was our current design at  
17 that time. And we were reaching out to neighbors  
18 to hopefully obtain more feedback so that we could  
19 finalize everything and incorporate any other  
20 concerns that they had into the plans. That was  
21 the May 6th --

22 MR. BONNANO: I'm sorry, I didn't mean  
23 to cut you off, ma'am.

24 THE WITNESS (Wolfman): That's okay.

25 MR. BONNANO: I didn't hear what you

1 said though because I was talking.

2 THE WITNESS (Wolfman): That's okay. I  
3 was just saying that that's what we had. That's  
4 as far as the plans had been developed up until  
5 that point. And we wanted to meet with the  
6 neighbors and show them what we had and obtain  
7 feedback so that we could incorporate any of that  
8 feedback into the plans that ended up in the  
9 petition, but none of the neighbors were willing  
10 to provide specific feedback regarding  
11 landscaping.

12 MR. BONNANO: None of the neighbors  
13 were willing to, is that what you're saying?

14 THE WITNESS (Wolfman): Yes. Nobody  
15 was interested in discussing it. And my  
16 recollection is actually that people didn't  
17 believe that the project could be adequately  
18 screened, and that's what they had expressed to us  
19 at that time.

20 MR. BONNANO: They expressed their  
21 dismay or nonsupportiveness with the idea of the  
22 project from the get-go, not necessarily what the  
23 adequacy of screening might be, correct?

24 THE WITNESS (Wolfman): That seems  
25 correct, yes.



1 MR. BONNANO: And as your testimony  
2 goes here, you showed them a draft of the mock-up  
3 of where the panels would be, I understood that  
4 correctly?

5 THE WITNESS (Wolfman): Yes.

6 MR. BONNANO: And then that was  
7 eventually finalized into what the petition became  
8 to be?

9 THE WITNESS (Wolfman): Yes, and the  
10 full civil plans that were developed by our  
11 project engineer, MMI.

12 MR. BONNANO: But nobody went back to  
13 Mr. Hanson, for example, and said here's the  
14 finalized version of what we submitted to the  
15 Council, did they?

16 THE WITNESS (Wolfman): Well, the plans  
17 are still considered draft. They're not final  
18 until we get through this process, you know, and  
19 if any other changes are made, they would come  
20 with any conditions or the approval, if it's  
21 granted.

22 MR. BONNANO: I think that's a fair  
23 clarification. You made modifications on the  
24 plans from the draft form that you originally  
25 showed to Mr. Hanson, right? Correct?

1           THE WITNESS (Wolfman): They were  
2 refined. And I believe Mr. Gagnon can maybe chime  
3 in and provide anymore feedback on what changes  
4 were made, but I'm not --

5           MR. BONNANO: I'm not specifically  
6 asking what changes were made. I'm referencing  
7 the fact that you showed him a draft of it, and it  
8 was further refined to its current, on your  
9 testimony, draft nonfinalized form that's  
10 currently sitting in front of the Council; isn't  
11 that true?

12          THE WITNESS (Wolfman): Yes, that's  
13 true.

14          MR. BONNANO: And these current  
15 nonfinalized draft forms that now sit in front of  
16 the Council were were not shown to Mr. Hanson  
17 again prior to the submission to the Council after  
18 you showed him your original draft forms?

19          THE WITNESS (Wolfman): We had offered  
20 to meet with Mr. Hanson again, and we left our  
21 information, our contact information for him, but  
22 we didn't hear back.

23          MR. BONNANO: I understand your  
24 testimony that you didn't hear back, ma'am, but  
25 I'd appreciate you answering my question which

1 was, you're not aware of Greenskies affirmatively  
2 showing Mr. Hanson what further refined plans  
3 there were in the newest draft that was originally  
4 submitted to the Council; is that accurate?

5 THE WITNESS (Wolfman): I believe the  
6 plan we showed him was the landscape plan which  
7 was the layout and landscaping and the visual  
8 simulation as well, and I don't believe those had  
9 changes to them, those plans in particular. The  
10 simulation didn't change. The landscape plan is  
11 essentially what was incorporated into the civil  
12 plan set.

13 MR. BONNANO: Okay. So now I want to  
14 understand what you're saying now, is that what  
15 you showed him, to your knowledge, didn't change  
16 into the current draft that was in front of the  
17 Council?

18 THE WITNESS (Wolfman): The one sheet  
19 that we had with us, the landscape plan, it might  
20 have been refined a bit or -- I would have to  
21 check with our landscape designer, actually, to  
22 see what the draft was on that date and what was  
23 submitted but --

24 MR. BONNANO: And again --

25 THE WITNESS (Wolfman): I think the

1 landscape plan was, what was shown is what is in  
2 there today because we didn't have any other  
3 feedback on that.

4 MR. BONNANO: So you'd agree with me  
5 then what was originally submitted or handed over  
6 for review to Mr. Hanson during your single  
7 meeting with him, however infinitesimal the  
8 changes may have been to the draft that was  
9 submitted to the Council, those updated plans, to  
10 your knowledge, were never shown to Mr. Hanson  
11 again; is that accurate?

12 THE WITNESS (Wolfman): We didn't meet  
13 with Mr. Hanson after May 6th before we submitted  
14 the petition on June 4th.

15 MR. BONNANO: Okay. So the answer to  
16 my question is yes?

17 THE WITNESS (Wolfman): The plans were  
18 not available to him again until we submitted it  
19 and it became publicly available.

20 MR. BONNANO: And you personally made  
21 no effort to show him the updated plans?

22 THE WITNESS (Wolfman): I didn't offer  
23 to specifically meet again after that. We left  
24 the door open for Mr. Hanson to contact us and  
25 provide further feedback on the plans we had shown

1 him.

2 MR. BONNANO: You referenced a moment  
3 ago the fact that there was a -- and you cast the  
4 net wider than just Mr. Hanson, you talked about  
5 several other neighbors or other people other than  
6 Mr. Hanson. I don't want to sort of enlarge the  
7 group of people bigger than it actually was. But  
8 you recall your earlier testimony moments ago with  
9 regard to having met with neighbors and then  
10 observing their disappointment with the fact that  
11 the project was going there in the first place as  
12 opposed to getting any feedback about whatever  
13 plans you showed them. Do you recall that earlier  
14 testimony?

15 THE WITNESS (Wolfman): Yes, we showed  
16 them the plans, and they expressed that they  
17 didn't believe the project could be adequately  
18 screened.

19 MR. BONNANO: And then would you agree  
20 with me that they told you that they didn't want  
21 the project there entirely and were essentially,  
22 in layman's terms, turned off by the fact that the  
23 project was going there?

24 THE WITNESS (Wolfman): That's the  
25 sense that we had.

1 MR. BONNANO: Thank you. So can you  
2 try to or explain to me -- and it may not be you,  
3 Ms. Wolfman, it may be one of the other  
4 individuals -- what the policy is with Greenskies  
5 or the developer or really on the petitioner's  
6 behalf with regard to the concern for neighboring  
7 properties and what Greenskies' policy is to try  
8 to accommodate a level of impact on abutters?

9 THE WITNESS (La Marche): This is  
10 Jean-Paul. I can respond to that.

11 MR. BONNANO: Thank you.

12 THE WITNESS (La Marche): As a company,  
13 as Greenskies, we do not have a written out policy  
14 of this is how we respond in all situations. I  
15 think our general process is to take in as much  
16 feedback as we possibly can. If we can foster a  
17 positive relationship with neighbors to our  
18 projects, we would prefer to. If we can find a  
19 mutual agreement, mutual screening that makes them  
20 happy, we are happy to involve that into our  
21 project as much as possible.

22 In a lot of our projects we are  
23 successful with that, and we don't have conflict  
24 with neighbors, and they're happy to have the  
25 projects nearby. In some projects there are

1 people who are against the project, for whatever  
2 reason they are against the project. And we  
3 absolutely consider that in our project siting,  
4 but if we believe that the project is fairly  
5 sited, does not have a negative impact, does not  
6 have negative impact to environmental issues,  
7 stormwater issues, is fair for interconnection, is  
8 a good site, we will proceed with developing the  
9 project.

10 MR. BONNANO: Is the single meeting you  
11 had with Mr. Hanson, the fact that that's the only  
12 meeting that had taken place, understanding that  
13 it's the petitioner's testimony that multiple  
14 offers were out there for them to essentially come  
15 back to the petitioner, but the fact that a single  
16 meeting set up by Greenskies took place, does that  
17 conform with the policy that you just elaborated  
18 on?

19 THE WITNESS (La Marche): I don't think  
20 it's abnormal at all. I mean, we always make  
21 ourselves available. We provide phone numbers,  
22 email addresses. And we have --

23 MR. BONNANO: I understand that.

24 THE WITNESS (La Marche): -- in the  
25 past with having discussions with that approach.

1 MR. BONNANO: I appreciate that, but I  
2 didn't ask for an abnormality. I'm just asking if  
3 that single meeting that Greenskies took with Mr.  
4 Hanson, does that still fall within what you  
5 consider to be this informal policy of Greenskies?

6 THE WITNESS (La Marche): I'm not sure  
7 I understand the difference of your question from  
8 how I answered it, but yes, this falls into our  
9 standard operating procedure.

10 MR. BONNANO: And do you not believe  
11 that it would have been a more thorough job or  
12 approach by Greenskies or the petitioner to go to  
13 Mr. Hanson prior to filing with the actual  
14 quote/unquote draft finalized version of the  
15 petition so that he could see as probably the  
16 closest abutter what the visual impact upon his  
17 property would be in the submission?

18 THE WITNESS (La Marche): I don't think  
19 it would add any value, no. He was given all of  
20 that information with the petition.

21 MR. BONNANO: After the petition was  
22 filed?

23 THE WITNESS (La Marche): Yes, with the  
24 petition. With the filing of the petition, he was  
25 provided all of that information. And we are



1 still available to be followed up with and  
2 contacted, though I don't really see a substantial  
3 difference between providing him the information  
4 the day before or after we file through the  
5 notification process.

6 MR. BONNANO: There's no significance  
7 to you of touching base with the closest neighbor  
8 to the property and the panels prior to filing a  
9 petition?

10 THE WITNESS (La Marche): I didn't say  
11 that. We did touch base with him.

12 MR. BONNANO: Once the petition was  
13 ready, sir. The petition was never shown to Mr.  
14 Hanson prior to it being filed; isn't that  
15 correct?

16 THE WITNESS (La Marche): I think  
17 you're splitting hairs.

18 MR. HOFFMAN: Mr. Morissette, I'm going  
19 to object. At this point the witness has  
20 answered, both witnesses have answered this  
21 question several different ways. Attorney Bonnano  
22 may not like those answers, but those answers are  
23 there, and they're in the record.

24 MR. BONNANO: It's cross-examination.  
25 Mr. Morissette, you're muted.

1                   MR. HOFFMAN: The question has been  
2 asked and answered.

3                   MR. BONNANO: Your objection was well  
4 spoken. Mr. Morissette can make a ruling.

5                   MR. MORISSETTE: The ruling is,  
6 Attorney Bonnano, if you could move on and get to  
7 your point, we would appreciate it. Thank you.

8                   MR. BONNANO: With regard to the  
9 screening, and Mr. La Marche, this may be to you  
10 based upon the first day of the hearing, do you  
11 know how tall the screening would be in front of  
12 the fence and the panels?

13                  THE WITNESS (La Marche): I don't have  
14 that number. I think either Gina or MMI can  
15 provide that.

16                  THE WITNESS (Wolfman): I can answer  
17 that question. The landscape plan provides for  
18 screening. Anything that's listed as a shrub  
19 would be maintained at a height of 10 feet, and  
20 the trees would be maintained at a height of up to  
21 15 feet. The fence will be 7 and a half feet.  
22 It's a 7 foot high fence with a 6 inch gap to  
23 allow wildlife to pass through. And plants,  
24 depending on the species, would mature at  
25 different rates.

1 MR. BONNANO: Are you familiar with how  
2 Mr. Hanson's home is facing the panels?

3 THE WITNESS (Wolfman): I am.

4 MR. BONNANO: Okay. And are you  
5 familiar with the fact that he's got -- if you  
6 were in the backyard you'd probably know this --  
7 he has a large deck in his backyard?

8 THE WITNESS (Wolfman): Yes, it's on  
9 the north, or on the east, northeast side of the  
10 home.

11 MR. BONNANO: Right. And you're aware  
12 that Mr. Hanson has different levels to his home,  
13 not just a ground level, but a first floor and a  
14 second floor?

15 THE WITNESS (Wolfman): Yes, of course.  
16 I've had many homes with different levels.

17 MR. BONNANO: Right. Do you know at  
18 all what the visibility of the panels would be  
19 from the various different levels of his home?

20 THE WITNESS (Wolfman): No, I wouldn't  
21 know that. I wouldn't have that information. I  
22 -- well, go ahead. I don't have that information,  
23 no.

24 MR. BONNANO: Okay. Does the impact  
25 upon the various levels of his home and where that

1 perspective would be from, that would impact what  
2 he could see or not see; would you agree with  
3 that?

4 THE WITNESS (Wolfman): Yes, it could,  
5 in addition to the existing vegetative buffer  
6 along the property line that would be in between  
7 the --

8 MR. BONNANO: I'm sorry, ma'am. I cut  
9 you off again. I apologize.

10 THE WITNESS (Wolfman): Yes. There's  
11 an intervening buffer, a landscape buffer and wall  
12 between the proposed facility and the home.

13 MR. BONNANO: You're talking about the  
14 rock wall?

15 THE WITNESS (Wolfman): Rock wall,  
16 berm. It's a 3 and a half to 4 and a half foot  
17 berm. There's a whole line of mature trees, oaks,  
18 sweet birch and maples that range from 8 to 26  
19 inch diameter DBH.

20 MR. BONNANO: How much covering they  
21 provide will differ on what time of year it is?

22 THE WITNESS (Wolfman): It differs on  
23 the time of year. There's also a deciduous  
24 understory there along the property line. I  
25 believe Mr. Hanson has a fence near his pool. And

1 the trees are currently, from what we guess, maybe  
2 50 to 70 or 80 feet high depending on which  
3 specimens you're looking at.

4 MR. BONNANO: Is Greenskies concerned  
5 with the visibility of the panels from the various  
6 heights of Mr. Hanson's home?

7 THE WITNESS (Wolfman): What is typical  
8 in the industry is to do a visual simulation from  
9 the property line at the line of sight toward any  
10 development, so that's what we considered in our  
11 visual analysis.

12 MR. BONNANO: But you didn't stray  
13 outside of that to see what he would actually be  
14 viewing from his home or his deck?

15 THE WITNESS (Wolfman): We did not.

16 MR. BONNANO: Okay. And you never  
17 asked him whether or not you could, right?

18 THE WITNESS (Wolfman): That's not  
19 typically done in -- that's not standard practice  
20 in the industry.

21 MR. BONNANO: I wanted to talk about  
22 the issues with regard to some of the noise  
23 concerns we have. And I believe, if my notes are  
24 correct, we have Councilman Lynch's questions, he  
25 indicated that he believed that a golf ball will

1 travel over 100 miles an hour. Do you remember  
2 that testimony, Ms. Wolfman -- or, excuse me, he  
3 wasn't testifying, he was questioning. Do you  
4 remember him stating that?

5 THE WITNESS (Wolfman): I vaguely  
6 remember that.

7 MR. BONNANO: There was a -- and this  
8 was on Mr. Gagnon's prefile testimony. There was  
9 an SLR sound mock study that was provided, Mr.  
10 Gagnon, that you referenced in your prefile  
11 testimony?

12 THE WITNESS (Gagnon): Correct.

13 MR. BONNANO: And those metrics that  
14 were provided, those have to do with the operation  
15 and the noises that the actual systems make, to  
16 put it indelicately, meaning that if you put these  
17 type of machines on this property and you have  
18 these type of solar panels and these type of  
19 inverters, based upon your studies, these are the  
20 metrics or the numbers that come out as far as  
21 what they generate noise wise?

22 THE WITNESS (Gagnon): Correct.

23 MR. BONNANO: But we're on a golf  
24 course here, right, so how many projects, solar  
25 projects on a golf course have you been involved

1 with?

2 THE WITNESS (Gagnon): This is my first  
3 one, sir.

4 MR. BONNANO: Okay. And so there is a  
5 little bit of a uniqueness with a golf course,  
6 right, as far as putting a project on there in  
7 that people are playing golf in and around the  
8 panels, right?

9 THE WITNESS (Gagnon): Correct.

10 MR. BONNANO: And a sound study that  
11 would measure what actual noises the machines  
12 generate really doesn't touch upon what noises are  
13 generated once a golf ball hits the panels, you'd  
14 agree?

15 THE WITNESS (La Marche): This is  
16 Jean-Paul. It does not include the simulation of  
17 a golf ball on a solar panel, no.

18 MR. BONNANO: And there's not a  
19 measurement given --

20 THE WITNESS (La Marche): But however,  
21 I don't quite understand the relevance. We don't  
22 expect noise to be an issue, and there is already  
23 golf being played. I don't think that it is  
24 reasonable to do a study to try and predict the  
25 oddity of noises such as a golf ball landing on

1 the modules. I mean, I think that's out of the  
2 standard industry practice. People wouldn't do a  
3 simulation for the sound of rain on a building in  
4 terms of a noise constraint, and it's just not  
5 something typical that we would do, and we did not  
6 do.

7 MR. BONNANO: Well, I mean, you agree  
8 that a golf ball hitting the panels is going to  
9 make a noise, right?

10 THE WITNESS (La Marche): Of course, it  
11 will make a noise, there will be sound waves  
12 coming from that. The exact noise, I don't know  
13 what it is.

14 MR. BONNANO: And you don't have any  
15 measurement of what that is. In fact, based upon  
16 your testimony during the first day of hearing,  
17 we're not even looking at the configuration of a  
18 hole that's actually going to be changed at the  
19 time that the installation is made; isn't that  
20 true?

21 THE WITNESS (La Marche): We can't  
22 speak for what the landowner will do with his  
23 course.

24 THE WITNESS (Wolfman): Excuse me, I'd  
25 like to, if I could speak? This is Gina Wolfman.



1 We are working with the landlord on the redesign  
2 of the golf course, and his goal is to redesign it  
3 so that that's not a great, you know, an issue.

4 MR. BONNANO: Because he feels it would  
5 be an issue in its current configuration?

6 THE WITNESS (Wolfman): Well, he needs  
7 to eliminate nine holes from his course, and we  
8 are not in a position to assist with that  
9 redesign. And it is something that he is  
10 considering what would work best for the golf  
11 course and for the project to coexist in the  
12 future.

13 MR. BONNANO: And I appreciate that,  
14 but we're at the hearing, and I represent one of  
15 the neighbors, and we're trying to figure out what  
16 exactly we're left with once this is installed or  
17 not installed. So, as we sit here today at  
18 today's hearing, you don't know because you don't  
19 think it's your responsibility to know how the  
20 landowner is going to reconfigure the hole, right?

21 THE WITNESS (Wolfman): We don't know  
22 what that final design will be at this point.

23 MR. BONNANO: Right. And that means  
24 that the neighbors don't know what they're left  
25 with either, do they?

1           THE WITNESS (Wolfman): No one will  
2 know until that redesign is done.

3           MR. BONNANO: So that's just a question  
4 mark that --

5           THE WITNESS (Wolfman): I would like to  
6 comment on the issue of the golf ball noise. And  
7 I believe, I would have to check it, and I'm not  
8 sure if anyone else is aware or could comment, but  
9 I believe that would be an intermittent noise.  
10 I'm not sure where that would even be covered in  
11 the DEEP noise guidance, you know, standards, the  
12 state standards. The Town of Stonington doesn't  
13 have a noise ordinance.

14          MR. BONNANO: I agree. You don't know,  
15 and I don't know. You don't know how many golfers  
16 are going to go through that course on a given  
17 busy summer day, do you?

18          THE WITNESS (Wolfman): No, but I do  
19 believe that there is regular maintenance activity  
20 that goes on, on this site. And when Mike Gagnon  
21 and I were there, they were doing some work,  
22 compaction or something in one of the sand traps  
23 close by, and we were yelling at each other to be  
24 able to hear what we were saying. It was pretty  
25 loud. And there's maintenance work that goes on

1 every day, mowing and all kinds of equipment  
2 that's used, combustion equipment.

3 So that was all considered in the  
4 baseline for the noise study. They did take  
5 baseline measurements that accounted for noise  
6 from the golf course as well as I-95 and existing  
7 uses there. So those would continue as well.  
8 Those are all part of the golf course maintenance  
9 operations.

10 MR. BONNANO: And those would be  
11 expected of somebody who lives next to a golf  
12 course?

13 THE WITNESS (Wolfman): Yes, it would,  
14 and that was accounted for in the noise analysis.

15 MR. BONNANO: What about the issue of  
16 wind through the panels generating noise, did you  
17 do or run a calculation with regard to what that  
18 might or might not generate?

19 THE WITNESS (La Marche): Mike, can you  
20 answer whether that was included in the  
21 simulation?

22 THE WITNESS (Gagnon): No, that wasn't  
23 accounted for in the study.

24 THE WITNESS (La Marche): And I do not  
25 have hard empirical data to answer that question,

1 but I've spent close to a dozen years working on  
2 solar projects. I have never heard noise  
3 generated from wind going over modules.

4 MR. BONNANO: To an extent that it  
5 would bother you?

6 THE WITNESS (La Marche): I have never  
7 heard noise generated from wind going over the  
8 modules.

9 MR. BONNANO: Who would be best suited  
10 to discuss some of the photos that were submitted  
11 with the petition?

12 THE WITNESS (La Marche): Gina, I think  
13 you're best for that, if that works.

14 MR. BONNANO: I lost her.

15 THE WITNESS (La Marche): I don't see  
16 her either. You can ask your questions, and we'll  
17 do our best.

18 MR. BONNANO: If you look specifically  
19 at Appendix M of your petition, we've got a  
20 photographic log there. Let me know when you're  
21 looking at that.

22 THE WITNESS (La Marche): I will.  
23 Mike, I hope you're familiar with these too, if  
24 you could pull them up as well.

25 THE WITNESS (Gagnon): Absolutely. I'm

1 pulling it up right now.

2 THE WITNESS (La Marche): Okay.  
3 There's a handful of documents associated with it.  
4 I have those available.

5 MR. BONNANO: Okay. I can direct you  
6 exactly to the one I'm looking at. They're not  
7 well hidden. It's page 1, enumerated,  
8 photographic log, photo 1, with a date of March --

9 THE WITNESS (La Marche): I'm sorry. I  
10 was saying I have four documents associated with  
11 Appendix M from the Siting Council web site so --

12 MR. BONNANO: This is M2, I believe.

13 THE WITNESS (La Marche): Okay.

14 MR. BONNANO: All set, Mr. Gagnon?

15 THE WITNESS (Gagnon): Yes, I'm here.

16 MR. BONNANO: Okay. So, in particular,  
17 I'm kind of pointing to photos 1 through 4 here,  
18 which are on page 1 and 2 of M2. Can you explain  
19 to me what type of photographic equipment was used  
20 for these photos?

21 THE WITNESS (Gagnon): Sure. So  
22 basically I used a Nikon compact digital camera to  
23 take these photos, basically, you know, a digital,  
24 compact digital camera.

25 MR. BONNANO: Do you have any idea what

1 type of -- size of the lens or the scope of the  
2 lens that was used?

3 THE WITNESS (Gagnon): I can tell you  
4 in a moment because I actually have the camera  
5 right here. It would be the standard. Basically  
6 it's a 14X optical with a zoom range of 4.5 to  
7 6.3.

8 MR. BONNANO: And was the purpose of  
9 taking these photos to demonstrate what a person  
10 would be seeing if they were standing from the  
11 point of capture and looking onto the project  
12 area?

13 THE WITNESS (Gagnon): Correct.

14 MR. BONNANO: And I'm sorry, Mr.  
15 Gagnon, was it your job to take photos like this  
16 to try to demonstrate what it would look like from  
17 those points of capture?

18 THE WITNESS (Gagnon): Yes.

19 MR. BONNANO: And did it occur to you  
20 to touch base with Mr. Hanson to see if he would  
21 allow you on the property to take photos from his  
22 home's perspective?

23 THE WITNESS (Gagnon): It was not my  
24 position to reach out directly to Mr. Hanson. I  
25 was working on behalf of Greenskies.

1 MR. BONNANO: With regard to these  
2 photos, what direction were you under when you  
3 took them?

4 THE WITNESS (Gagnon): We were directed  
5 by Greenskies to essentially assemble a photo log  
6 of the various vantage points looking at the  
7 project area.

8 MR. BONNANO: And not to ask an  
9 abutting neighbor if you could take photos from  
10 his property?

11 THE WITNESS (Gagnon): Correct.

12 THE WITNESS (La Marche): This is  
13 Jean-Paul again. I may be speaking wrong, so I  
14 want to verify, but I believe the driving factor  
15 behind this photo log was a question from the  
16 Siting Council, and we were directly answering  
17 their request for a photo log.

18 MR. BONNANO: Was that pre-petition or  
19 post-petition, Mr. La Marche?

20 THE WITNESS (La Marche): I believe it  
21 was during the petition in one of the  
22 interrogatories, but again, I'm not a hundred  
23 percent sure.

24 MR. BONNANO: Mr. Gagnon, do you know  
25 whether or not these photos were submitted with

1 the petition or --

2 THE WITNESS (Gagnon): I think, I  
3 believe they were presented or submitted as the  
4 first round of interrogatory responses, so it was  
5 post-initial petition.

6 MR. BONNANO: Thank you. Mr. Gagnon,  
7 you responded to the interrogatories, particularly  
8 Number 34, and stated that the petitioner could  
9 not possibly know the perspective of a nearby  
10 homeowner. Is that still an accurate statement by  
11 you?

12 MR. HOFFMAN: Mr. Morissette, I'm  
13 afraid Ms. Wolfman would have the answer to that  
14 question. She's texted me. Her computer has  
15 crashed, and she is trying to restart and get back  
16 on.

17 MR. MORISSETTE: Thank you, Attorney  
18 Hoffman.

19 Attorney Bonnanno, can we come back to  
20 that question?

21 MR. BONNANO: Sure. I've been there  
22 plenty.

23 MR. MORISSETTE: Great. Thank you.

24 MR. BONNANO: But, I mean, can we just  
25 confirm that Mr. Gagnon can't respond to the



1 question?

2 THE WITNESS (Gagnon): I'm sorry. If I  
3 may add, is that Number 34 on the first round of  
4 interrogatories?

5 MR. BONNANO: Yes. Sir, it's dated  
6 August 20th, and it's Greenskies' responses to the  
7 August 6, 2020 set of interrogatories.

8 THE WITNESS (Gagnon): And that would  
9 be on page 11?

10 MR. BONNANO: No, sir, it's on page 15.

11 THE WITNESS (Gagnon): Okay.

12 THE WITNESS (La Marche): Which  
13 interrogatories are these? I do not have a page  
14 15 of the Council interrogatories.

15 MR. BONNANO: No, I'm sorry, I didn't  
16 say -- I didn't think I said Council  
17 interrogatories. It's the responses to Doug  
18 Hanson's August 6.

19 THE WITNESS (La Marche): Got it.  
20 Thank you.

21 MR. BONNANO: I apologize for not being  
22 clear.

23 THE WITNESS (La Marche): I don't think  
24 our answer changes from the answer that we wrote.

25 MR. BONNANO: But wouldn't one way to

1 possibly know the perspective of a nearby  
2 homeowner would be to go on the nearby homeowner's  
3 property and ask to take the pictures?

4 THE WITNESS (La Marche): One way to  
5 take a picture from a certain point would be to go  
6 onto that property and take the picture, sure,  
7 yes.

8 MR. BONNANO: Or at least one possible  
9 way.

10 Mr. Morissette, if I can just have 30  
11 seconds here?

12 MR. MORISSETTE: Sure.

13 (Pause.)

14 MR. BONNANO: Mr. La Marche, and I  
15 certainly appreciate the sentiment and the offer,  
16 but I just want to confirm. To your knowledge,  
17 Greenskies is still willing to meet with neighbors  
18 and try to work with them as far as getting or  
19 trying to obtain a level of screening that you can  
20 agree with, that's correct?

21 THE WITNESS (La Marche): We will  
22 continue to have discussions. I don't want to  
23 have those discussions in this hearing. I don't  
24 think that's the place for it. But if neighbors  
25 want to reach out to us and discuss with us, we

1 are open to discussing with them.

2 MR. BONNANO: And I'm not looking to  
3 have the discussions here either because I don't  
4 think they'd be very fruitful, but I'm looking to  
5 get a representation that you'll agree after this  
6 hearing, if the neighbors want to meet, you'll do  
7 some sort of on-site visit or sit down with them  
8 to try to figure out if something can be worked  
9 out?

10 THE WITNESS (La Marche): I will  
11 personally not be on site. I am based in  
12 Colorado. Given COVID concerns, I'm not sure how  
13 we would manage an in-person setting, but yes, we  
14 will make ourselves available for further  
15 discussion.

16 MR. BONNANO: Mr. Morissette, nothing  
17 further at this time subject to Ms. Wolfman coming  
18 back on and there being any additional questions  
19 there.

20 MR. MORISSETTE: Thank you, Attorney  
21 Bonnano.

22 Ms. Wolfman, are you back on?

23 MR. HOFFMAN: She is not back on yet,  
24 but I believe that Mr. La Marche took her  
25 question.

1 MR. MORISSETTE: Okay. And Attorney  
2 Bonnano, you're all set then.

3 Okay. We'll move on with  
4 cross-examination with Attorney Gianquinto.

5 MS. GIANQUINTO: Thank you. All right.  
6 Since Ms. Wolfman is still off, Mr. Gagnon, I'm  
7 going to start with you. I just had a couple  
8 background questions. How long have you had your  
9 P.E. license in Connecticut?

10 THE WITNESS (Gagnon): Let's see, I got  
11 it in 1997, I believe.

12 MS. GIANQUINTO: And where else do you  
13 hold licenses?

14 THE WITNESS (Gagnon): In Massachusetts  
15 and New Hampshire.

16 MS. GIANQUINTO: Do you do more work in  
17 any one of those states, or is it evenly  
18 distributed?

19 THE WITNESS (Gagnon): Most of my work  
20 is concentrated in Massachusetts and Connecticut.  
21 I've done a few projects in New Hampshire, but  
22 mainly Connecticut and Mass.

23 MS. GIANQUINTO: And when did you get  
24 licensed in Massachusetts?

25 THE WITNESS (Gagnon): About a year or

1 two after I did in Connecticut. I believe it was  
2 '98 or '99.

3 MS. GIANQUINTO: And how many solar  
4 projects have you worked on?

5 THE WITNESS (Gagnon): I would say  
6 roughly 12 to 15.

7 MS. GIANQUINTO: Have they all been for  
8 Greenskies?

9 THE WITNESS (Gagnon): No, multiple  
10 clients.

11 MS. GIANQUINTO: And how many solar  
12 projects in Connecticut?

13 THE WITNESS (Gagnon): This is actually  
14 my third project in Connecticut.

15 MR. HOFFMAN: Ms. Gianquinto, I wanted  
16 to let you know that Ms. Wolfman is back.

17 MS. GIANQUINTO: Okay. Thanks, Lee.

18 I'm sorry, Mr. Gagnon, you said that  
19 this is your third project in Connecticut, third  
20 solar project?

21 THE WITNESS (Gagnon): Correct.

22 MS. GIANQUINTO: Okay. And where are  
23 the other ones?

24 THE WITNESS (Gagnon): The other  
25 project is in Stonington off of Taugwonk Road, and

1 we also did another project for another client in  
2 Montville, specifically at the Montville High  
3 School.

4 MS. GIANQUINTO: And I know Taugwonk  
5 was approved. Has the Montville one been  
6 approved?

7 THE WITNESS (Gagnon): Montville is  
8 constructed, yes, and was approved.

9 MS. GIANQUINTO: Okay. In your prefile  
10 testimony it says you're a senior project  
11 specialist. What does that mean?

12 THE WITNESS (Gagnon): So basically  
13 what I do is I either manage projects or oversee  
14 other lower staff engineers with the work. I also  
15 do a lot of the work myself depending on the  
16 complexity of the computations, but, you know,  
17 basically view it as a senior staff engineer in  
18 the company.

19 MS. GIANQUINTO: With respect to this  
20 project, did you do the actual design work  
21 yourself, or did you have, as you said, kind of  
22 lower staff working on it?

23 THE WITNESS (Gagnon): I worked on --  
24 we had lower staff working on it. I had two or  
25 three other engineers working with me. Some of

1 the aspects of the project I did as well.

2 MS. GIANQUINTO: So you were part of a  
3 three to four engineer team?

4 THE WITNESS (Gagnon): That's correct.

5 MS. GIANQUINTO: And then you also  
6 handled the noise and the visual simulations; is  
7 that correct?

8 THE WITNESS (Gagnon): So in terms of  
9 the noise study, we actually contracted, we  
10 reached out to another individual of our joint  
11 company, SLR. This is his specialty. So he was  
12 actually, his name is Dave Jones, he was the one  
13 that was actually in charge of putting together  
14 the noise study.

15 MS. GIANQUINTO: Okay. And so you're  
16 the kind of project contact then for that person  
17 you contracted out with?

18 THE WITNESS (Gagnon): Correct, yes.

19 MS. GIANQUINTO: And what about the  
20 visual simulations?

21 THE WITNESS (Gagnon): So the visual  
22 simulations, I worked with one of our landscape  
23 architects in our firm. She was actually  
24 instrumental in putting together the  
25 post-simulation models.

1 MS. GIANQUINTO: All right. And so how  
2 did that process work, you took the photos and  
3 uploaded them for her or --

4 THE WITNESS (Gagnon): Yes. I took the  
5 photos, uploaded them onto our company server, of  
6 which she had access to them, and then she used,  
7 you know, between SketchUp and Photoshop as well  
8 as AutoCAD to actually create the simulation model  
9 or post-simulation model.

10 MS. GIANQUINTO: How many times have  
11 you been out to the Elmridge site?

12 THE WITNESS (Gagnon): I would say  
13 three or four times at least.

14 MS. GIANQUINTO: And can you give me an  
15 approximation on when those visits were? It  
16 sounds like you were out there in May because you  
17 were part of the meeting with Mr. Hanson.

18 THE WITNESS (Gagnon): Correct. We  
19 were there at the end of May. We actually  
20 conducted the deep hole test pits for the  
21 stormwater basins. And then we had another  
22 meeting, I believe it was in July, we were out  
23 there on site to take the additional photographs  
24 that were requested by the Council to put together  
25 the photo log in light of the pandemic so that



1 they had a better understanding of the project.  
2 And I believe that it was at that time that we  
3 also met with a few representatives from the Town  
4 of Stonington.

5 MS. GIANQUINTO: Okay. So that was May  
6 of this year and July of this year?

7 THE WITNESS (Gagnon): Yes. And then I  
8 was --

9 MS. GIANQUINTO: Any other --

10 THE WITNESS (Gagnon): Yes. And I was  
11 out there as my most recent visit was in late  
12 September when we actually posted the signs for  
13 the hearing.

14 THE WITNESS (Wolfman): And I'd like to  
15 add a date to that just as a reminder. This is  
16 Gina Wolfman. Also the end of March when the  
17 photos were taken for the photographic log, I'm  
18 looking at the dates on that now, it was March  
19 31st.

20 MS. GIANQUINTO: Okay. So, Ms.  
21 Wolfman, you were out there with Mr. Gagnon when  
22 these photos were taken?

23 THE WITNESS (Wolfman): No, I'm just  
24 looking at the photo, I'm looking at the log here.

25 MS. GIANQUINTO: Okay. So Mr. Gagnon,

1 can you confirm that you took those photos at the  
2 end of March?

3 THE WITNESS (Gagnon): Yes, ma'am.

4 MS. GIANQUINTO: Those are the ones I  
5 think we were just looking at when Attorney  
6 Bonnano was asking questions, right?

7 THE WITNESS (Gagnon): Correct, yes.

8 MS. GIANQUINTO: Okay. So is March  
9 2020 the first time you went out to the site? Did  
10 you go out before, during the design process?

11 THE WITNESS (Gagnon): I did. And I'm  
12 actually trying to recall when that date was. It  
13 was early on I believe when we first met with the  
14 landowner to go over the concept of the project.  
15 I don't recall when that date was.

16 MS. GIANQUINTO: Can you give me a  
17 ballpark? Are we talking like 2019, 2018?

18 THE WITNESS (Gagnon): I believe it was  
19 2019, late 2019.

20 THE WITNESS (Wolfman): I would agree  
21 with that, but I would have to check my field  
22 calendar.

23 MS. GIANQUINTO: And the engineers that  
24 worked with you on the design, did they go out to  
25 the site on other occasions at your direction to

1 do any of the design work?

2 THE WITNESS (Gagnon): Yes. One of the  
3 engineers that, she has been basically at my side  
4 through this project, she was with me when we  
5 conducted the test pits for the stormwater basins.

6 MS. GIANQUINTO: What's her name?

7 THE WITNESS (Gagnon): Heather, Heather  
8 Minot.

9 MS. GIANQUINTO: What's the status of  
10 the Taugwonk solar array in Stonington, that's  
11 under construction now?

12 THE WITNESS (Gagnon): That is  
13 currently under correction, yes.

14 MS. GIANQUINTO: And do you play any  
15 role in overseeing the construction?

16 THE WITNESS (Gagnon): No, we don't  
17 have any responsibility for day-to-day  
18 observations. One of our other engineers out of  
19 our Cheshire office is doing the weekly compliance  
20 monitoring associated with the stormwater general  
21 permit. Other than that, I am available to answer  
22 any questions that may come up during  
23 construction.

24 MS. GIANQUINTO: And you just mentioned  
25 the stormwater general permit. What's the status

1 of the permit application with respect to this  
2 project?

3 THE WITNESS (Gagnon): It is still  
4 pending with DEEP.

5 MS. GIANQUINTO: Have you had any  
6 additional meetings? I think the last -- I think  
7 there was reference to one in July.

8 THE WITNESS (Gagnon): Yeah, that's  
9 correct. That was the preapplication meeting that  
10 was held, but other than that, we have not had any  
11 interaction with them. We've tried to reach out  
12 to them on several occasions, you know, to  
13 ascertain the status of the permit as well and  
14 basically no response.

15 MS. GIANQUINTO: The revisions that  
16 were just submitted for the site plans to the  
17 Council last week, have those also been submitted  
18 to DEEP as part of that application process?

19 THE WITNESS (Gagnon): Yes.

20 MS. GIANQUINTO: And are you the lead  
21 on that submission on that application?

22 THE WITNESS (Gagnon): Yes.

23 MS. GIANQUINTO: All right. So I want  
24 to turn your attention to the visual simulations  
25 that you attached to your prefile testimony which

1 is Exhibit A, I believe.

2 THE WITNESS (Gagnon): Is that the  
3 second set of visualizations or the first?

4 MS. GIANQUINTO: It's the one attached  
5 to your prefiled testimony. So it's Exhibit A to  
6 your testimony, so that was dated September 24th.

7 THE WITNESS (Gagnon): Yes. Give me a  
8 second.

9 MS. GIANQUINTO: It's probably like the  
10 third set of visual simulations. It looks like it  
11 starts with visual simulation Number 6, 6 through  
12 8.

13 THE WITNESS (Gagnon): Yes, I found it.  
14 It's called View 6 is the first one.

15 MS. GIANQUINTO: Okay. I just have it  
16 as Exhibit A.

17 THE WITNESS (Gagnon): That is Exhibit  
18 A, yes.

19 MS. GIANQUINTO: Okay. And so are  
20 these all based off of photos that you took using  
21 that process we just discussed?

22 THE WITNESS (Gagnon): Yes, they are,  
23 yes.

24 MS. GIANQUINTO: Okay. And then the  
25 landscape architect added in the fencing and the

1 landscape screening that's proposed?

2 THE WITNESS (Gagnon): Yes. So if I  
3 may explain, the existing photos were a series of  
4 panoramics that I took, you know, depending on the  
5 view that we wanted to capture. So, you know, it  
6 was generally two or three photos that Carly from  
7 our office would essentially stitch together in  
8 Photoshop to create the panoramic.

9 MS. GIANQUINTO: Carly, is that the  
10 landscape architect?

11 THE WITNESS (Gagnon): Carly Picard,  
12 yes.

13 MS. GIANQUINTO: And when were these  
14 photos taken? This was submitted in September.  
15 Were they taken in September or were they earlier  
16 photos?

17 THE WITNESS (Gagnon): No, these were  
18 taken, I believe these actually were taken during  
19 our July visit, you know, based on the leaf canopy  
20 in the background.

21 MS. GIANQUINTO: Okay. And they were  
22 all taken on the same day during the same visit?

23 THE WITNESS (Gagnon): Yes.

24 MS. GIANQUINTO: And they were just  
25 taken by you holding a camera?

1 THE WITNESS (Gagnon): Correct.

2 MS. GIANQUINTO: Line of sight?

3 THE WITNESS (Gagnon): Line of sight,  
4 correct.

5 MS. GIANQUINTO: Do you have any  
6 special photography experience, any  
7 certifications, anything like that?

8 THE WITNESS (Gagnon): I do not. I do  
9 not hold any professional certifications. I mean,  
10 I'm familiar with the use of, you know, SLR  
11 cameras back in the day when we used to use film,  
12 but other than that, I wouldn't consider myself a  
13 professional.

14 MS. GIANQUINTO: Okay. So I'm not a  
15 professional either, and I was just wondering.  
16 You said that you used a Nikon digital camera with  
17 a 14X optical zoom. How does that compare? I'm  
18 used to talking about like camera lenses in terms  
19 of 35 millimeter, 50 millimeter.

20 THE WITNESS (Gagnon): Right.

21 MS. GIANQUINTO: Is there a conversion  
22 factor there, like do you know how that compares?

23 THE WITNESS (Gagnon): I am just  
24 reading verbatim because I've got the camera right  
25 here.

1 MS. GIANQUINTO: Okay.

2 THE WITNESS (Gagnon): This is it right  
3 here, and that's what it says on the lens so --

4 MS. GIANQUINTO: Okay. So you don't  
5 know how that correlates at all?

6 THE WITNESS (Gagnon): Right, right. I  
7 tried to use, in other words, when I took the  
8 photographs, I tried to not use the telephoto  
9 feature just because sometimes that can get  
10 distorted. I tried to keep it to the wide angle  
11 perspective as much as possible.

12 MS. GIANQUINTO: Have you reviewed the  
13 prefile testimony submitted by Mr. Hanson's expert  
14 David Tusia?

15 THE WITNESS (Gagnon): Yes.

16 MS. GIANQUINTO: Are you aware that he  
17 criticizes the perspective that you used?

18 THE WITNESS (Gagnon): Yes.

19 MS. GIANQUINTO: Okay. And criticizes  
20 the angle, and says it's not actually  
21 representative of what a person would see from Mr.  
22 Hanson's house?

23 THE WITNESS (Gagnon): That's what I  
24 understand, yes.

25 MS. GIANQUINTO: I mean, in that -- I



1 realize we just talked about it, you're not really  
2 sure about how the conversion to the millimeter  
3 lens works -- but in there Mr. Tusia opines that  
4 you likely were using an 18-24 millimeter lens  
5 which makes it look farther away. Do you have any  
6 response to that?

7 THE WITNESS (Gagnon): I do not. I  
8 have no comment for that.

9 MS. GIANQUINTO: Okay. And so that  
10 means you also can't say that Mr. Tusia's opinion  
11 is wrong in any way, right, you don't know?

12 THE WITNESS (Gagnon): I'm not in a  
13 position to state either way, no.

14 MS. GIANQUINTO: So I want to talk a  
15 little bit about Exhibit B to your pre-file  
16 testimony which is the noise study.

17 THE WITNESS (Gagnon): Okay.

18 MS. GIANQUINTO: And you said earlier  
19 that MMI contracted out to have this done, right?

20 THE WITNESS (Gagnon): Correct.

21 MS. GIANQUINTO: So you didn't actually  
22 run any of this analysis yourself?

23 THE WITNESS (Gagnon): Right. In other  
24 words, that memo that's part of Exhibit B was  
25 prepared by Dave Jones.

1 MS. GIANQUINTO: Okay. And when did  
2 you direct that this be done? Because in that  
3 first, I think it's in the first paragraph, it  
4 says, you know, At your request, SLR International  
5 Corporation has performed the noise study. And in  
6 your prefile testimony you say that you directed  
7 that it be prepared. Was that direction given  
8 when the petition was filed, was it not given  
9 until later in this proceeding, can you tell me?

10 THE WITNESS (Gagnon): Yes, it was, I  
11 believe it was the result of some comments that we  
12 received that we should. So, you know, we  
13 essentially went out and conducted the noise study  
14 based on the comments or based on this concern  
15 that we heard.

16 MS. GIANQUINTO: Okay. So after  
17 receiving some of the interrogatory responses to  
18 questions?

19 THE WITNESS (Gagnon): Correct, yes.

20 MS. GIANQUINTO: All right. So what  
21 did you hire them to do specifically, like, you  
22 know, a noise study generally, but what was the  
23 charge that you gave to this company?

24 THE WITNESS (Gagnon): So basically  
25 what we wanted them to do, you know, recognizing

1 the project area, we needed to take some baseline  
2 ambient noise levels, and those were -- SLR is  
3 actually a sister company to Milone & MacBroom, so  
4 they're actually working with us, and they utilize  
5 some of our staff for these studies. So they  
6 actually used some of our personnel out of our  
7 Cheshire office to actually go out on site with  
8 the noise meters and capture the ambient noise  
9 levels as described in the technical memo.

10 MS. GIANQUINTO: Okay. And in that  
11 memo the phrase "short-term handheld sound level  
12 measurements" is used. Do you know what that  
13 means?

14 THE WITNESS (Gagnon): I believe it  
15 just basically says that the noise levels were  
16 taken with hand-held measuring equipment.

17 MS. GIANQUINTO: Okay. Do you know  
18 what short-term means? Do you know how long the  
19 people were out there at each of these locations?

20 THE WITNESS (Gagnon): Yeah. So from  
21 what I understand, it wasn't a long, you know,  
22 duration study of like several days. I believe  
23 the levels were taken during the hours that were  
24 specified. I believe the daytime, you know, they  
25 were taken between 7 a.m. and 10 p.m. as well as

1 nighttime 10 p.m. to 7 a.m. And I believe that  
2 the instruments were, although they're referred to  
3 as hand-held, I understand that they were set on  
4 tripods to actually capture the ambient sound  
5 levels.

6 MS. GIANQUINTO: Okay. So you --

7 THE WITNESS (Gagnon): Particularly  
8 during the nighttime hours.

9 MS. GIANQUINTO: All right. So your  
10 understanding is that these measurements were  
11 taken both during the day and at night?

12 THE WITNESS (Gagnon): I believe so.

13 MS. GIANQUINTO: Can you point me to  
14 where that is in here? Because all I see is that  
15 they were short-term measurements and they were  
16 all taken on one day. I may have missed it, but I  
17 didn't see anything saying what time of day or how  
18 long they were at each of the three locations.

19 THE WITNESS (Gagnon): I'll have to  
20 chase that down.

21 MS. GIANQUINTO: Okay. So sitting  
22 here, you don't know how long the sound was  
23 measured on that day?

24 THE WITNESS (Gagnon): The date that  
25 the sound measurements were taken was September

1 11th.

2 MS. GIANQUINTO: Right, I saw that.

3 THE WITNESS (Gagnon): In terms of the  
4 time duration, in other words, how long they were  
5 actually on site, I do not have that info here.

6 MS. GIANQUINTO: So there were three  
7 different locations that they say were sampled.

8 THE WITNESS (Gagnon): Correct.

9 MS. GIANQUINTO: Do you know, did they  
10 have all three going at the same time, or did they  
11 do one and then another in seriatim?

12 THE WITNESS (Gagnon): I believe they  
13 had all three going simultaneously.

14 MS. GIANQUINTO: But you're not sure?

15 THE WITNESS (Gagnon): No, they had  
16 multiple setups with the equipment where these  
17 measurements were taken.

18 MS. GIANQUINTO: Okay. So you know  
19 that they had all three going at the same time?

20 THE WITNESS (Gagnon): Correct.

21 MS. GIANQUINTO: We just don't know  
22 what time --

23 THE WITNESS (Gagnon): We don't know  
24 exactly the hour duration, correct.

25 MS. GIANQUINTO: Okay. Would you agree

1 with me that ambient sound levels are generally  
2 lower at night than during the day?

3 THE WITNESS (Gagnon): It depends on  
4 the location, but in simplistic terms that can be  
5 construed to be true, yes, and again, depending on  
6 the location.

7 MS. GIANQUINTO: How about this  
8 location, would you agree that generally the sound  
9 levels are lower at night at a location like this?

10 THE WITNESS (Gagnon): Yeah, because  
11 you wouldn't have all of the activity associated  
12 with a golf course operation.

13 MS. GIANQUINTO: Okay. I wanted to  
14 discuss some of your testimony during the first  
15 day of this hearing. And this is not a memory  
16 test. But one of the points that you testified to  
17 were that the areas on each of the sites that are  
18 being regraded will be considered stabilized  
19 within likely two to three weeks, meaning wait two  
20 to three weeks for them to restabilize before  
21 driving the posts for the panel arrays, right, do  
22 you remember that?

23 THE WITNESS (Gagnon): Correct, yes,  
24 that would be the intent.

25 MS. GIANQUINTO: And you said it would

1 be two to three weeks because the equipment being  
2 used is mostly small Bobcats to drive those posts,  
3 right, so you don't need to wait as long --

4 THE WITNESS (Gagnon): Generally, yes.

5 MS. GIANQUINTO: Are those small  
6 Bobcats, do they have tracks or tires, do you  
7 know?

8 THE WITNESS (Gagnon): Speaking from  
9 experience, and I'll use the Taugwonk site,  
10 they're all tracked equipment to minimize the  
11 disturbance of the existing turf.

12 MS. GIANQUINTO: Okay. And so the  
13 areas that are being regraded, according to the  
14 site plans, they're being graded to 95 percent  
15 compaction, right?

16 THE WITNESS (Gagnon): Generally, yes.

17 MS. GIANQUINTO: Okay. Because it says  
18 on one of the sheets -- I think it's under LD or  
19 SD. I can pull that up -- it says 95 percent  
20 compaction. Are you saying that's not actually  
21 accurate for all of the sites?

22 THE WITNESS (Gagnon): Generally 95  
23 percent compaction is generally what we would like  
24 to attain just to ensure that we don't get any  
25 long-term settlement in any areas.

1 MS. GIANQUINTO: So 95 percent  
2 compaction, am I correct that basically means it's  
3 impermeable when it's regraded to that level?

4 THE WITNESS (Gagnon): It really  
5 depends on the material. It depends on the  
6 underlying material. You know, typically gravels  
7 and those type of materials, you know, are fine  
8 and they still can drain. They're still  
9 permeable.

10 MS. GIANQUINTO: Okay. What kind of  
11 material is being used at the site?

12 THE WITNESS (Gagnon): That would be  
13 the underlying the material, you know, the  
14 submaterials, and then the topsoil would not be  
15 compacted.

16 MS. GIANQUINTO: Right, I understand  
17 that. So I'm talking about underneath the  
18 topsoil, so before you added any topsoil. So  
19 whatever underlying materials are there is what's  
20 getting compacted?

21 THE WITNESS (Gagnon): Right, and  
22 again, just to prevent differential settlement in  
23 the future.

24 MS. GIANQUINTO: Right. Are you going  
25 to be trucking in any soil at all, or are you --



1 because I know there are some areas that you  
2 actually, you need to build up, right?

3 THE WITNESS (Gagnon): Correct.

4 MS. GIANQUINTO: Are you just  
5 redistributing soil on the site?

6 THE WITNESS (Gagnon): The idea is to  
7 reutilize the material that's excavated on the  
8 site, yes, as much as possible.

9 MS. GIANQUINTO: So generally all the  
10 areas that are being regraded and compacted are  
11 going to have whatever the native soil is on the  
12 site?

13 THE WITNESS (Gagnon): Correct, yes.

14 MS. GIANQUINTO: All right. And so  
15 then you mentioned that they'll be topsoil on top  
16 of that compacted material. How thick is the  
17 layer of top soil going to be?

18 THE WITNESS (Gagnon): Preferably 6  
19 inches, I believe, as specified on the drawings.

20 MS. GIANQUINTO: So I understood you to  
21 testify at the last hearing that you're not sure  
22 if there will be any sort of work done to kind of  
23 scarify or decompact any of the graded areas  
24 before the topsoil goes on, is that right, it  
25 would be up to the contractor?

1           THE WITNESS (Gagnon): I guess I don't  
2 really follow your question. So the idea is they  
3 would build those areas that have to be regraded,  
4 they would build them up to the subgrade of the  
5 topsoil layer, and that would be compacted, and  
6 then they would place the topsoil on top of that  
7 for the planting of the, you know, the pollinator  
8 seed mix.

9           MS. GIANQUINTO: Okay. So you have  
10 this native soil that's been compacted to 95  
11 percent, and then you have up to 6 inches of  
12 topsoil that's put on top of it, hopefully with  
13 some sort of preparation in between the layers.  
14 And then what's happening, you're adding hydroseed  
15 and tackifier to the topsoil?

16           THE WITNESS (Gagnon): Correct.

17           MS. GIANQUINTO: Okay. And so in your  
18 experience it will only take two to three weeks  
19 for there to be roots there for it to be  
20 stabilized enough to drive on?

21           THE WITNESS (Gagnon): Typically, yes,  
22 but it really is dependent on weather conditions,  
23 obviously, you know, as long as it's irrigated.  
24 The areas that we're talking about are not going  
25 to be wide spread. I would say, we'll use the

1 westerly site as an example, we have that area, as  
2 shown on the grading plan, where we're minimizing  
3 that slope before the stormwater basin. That's  
4 probably the more extensive area that has to be  
5 regraded on the project.

6           The easterly site, the intent really  
7 there, as shown on the grading plan, is to level  
8 some of the hills that had been created as a  
9 result of the golf course. So the idea was hoping  
10 that, you know, those areas would be addressed  
11 initially so that the contractor certainly could,  
12 for example, construct racking and other things,  
13 you know, construct the access roads in other  
14 locations while those areas are becoming  
15 stabilized.

16           MS. GIANQUINTO: So you just referred  
17 to the westerly site. And if I understood you  
18 correctly, I think you were saying there's not  
19 really a lot of grading going on there?

20           THE WITNESS (Gagnon): The easterly  
21 site is the area that's --

22           MS. GIANQUINTO: Okay.

23           THE WITNESS (Gagnon): -- except for  
24 the stormwater basin, that area. But the westerly  
25 site, the site next to I-95 is the site that

1 actually has more grading associated with it.

2 MS. GIANQUINTO: Okay. That was my  
3 understanding too, so I must have just misheard  
4 you.

5 Okay. So at the last hearing I  
6 understood you to also testify that the 6 inches  
7 in the basin, so that's between the bottom of the  
8 basin and the outlet in the weir wall, right, it's  
9 6 inches?

10 THE WITNESS (Gagnon): Correct, yes.

11 MS. GIANQUINTO: Is that true for both  
12 basins?

13 THE WITNESS (Gagnon): Yes.

14 MS. GIANQUINTO: Okay. So in both  
15 basins there's just 6 inches between the bottom  
16 and the outlet. And I understood you to testify  
17 that that's enough for the basins to handle the  
18 sediment that will be coming into them because you  
19 are assuming that in all areas where the existing  
20 grass cover is still in place there will be no  
21 sediment contribution from those areas; is that  
22 correct?

23 THE WITNESS (Gagnon): Correct, yes, or  
24 it will be very minimal. In other words, most of  
25 the sediment load is generally associated as a

1 result of land disturbance during construction.

2 MS. GIANQUINTO: Right. So I guess I'm  
3 confused about that assumption because by your own  
4 numbers in the Late-Filed exhibit that you guys  
5 submitted in the sediment calculations you say 80  
6 percent of the West Site is going to be disturbed.  
7 So to me that doesn't indicate there is much grass  
8 cover remaining totally undisturbed there. And so  
9 I don't really understand the assumption that  
10 there's not going to be sediment coming from areas  
11 that have existing grass cover because there's not  
12 going to be much that's going to remain  
13 undisturbed, right?

14 THE WITNESS (Gagnon): Right. So for  
15 sake of argument, so the west array is  
16 approximately 5 acres, the compound area, so what  
17 we're saying is that 80 percent is 80 percent of  
18 the 5 acres that has to be disturbed. And that is  
19 going to be what is going to be contributing  
20 mostly to the sediment load into the basin.

21 MS. GIANQUINTO: Okay, I understand  
22 that. I mean, so to me that would indicate that  
23 20 percent or less would be the original existing  
24 grass cover.

25 THE WITNESS (Gagnon): Correct.

1 MS. GIANQUINTO: Right?

2 THE WITNESS (Gagnon): Yes.

3 MS. GIANQUINTO: And would you agree  
4 with me that even that existing grass cover is  
5 going to be disturbed during construction, there's  
6 going to be construction equipment driving across  
7 it, there's going to be piles driven into it, and  
8 now you're adding level spreaders in some areas, I  
9 know in the West Site not as many, so even the  
10 existing grass cover is going to get some  
11 disturbance, right?

12 THE WITNESS (Gagnon): Yeah, but I  
13 don't think to the degree -- I don't believe that  
14 to the degree of disturbance as you would of doing  
15 a mass grading operation. In other words, the  
16 idea is that the turf is going to remain, so the  
17 turf is going to provide, you know, even though  
18 there's going to be traffic going over it, we're  
19 going to be driving piles through it for the  
20 racking assemblies, you know, the idea is that  
21 that turf is still going to provide some degree of  
22 protection for sediment loading.

23 MS. GIANQUINTO: Is the grass on a golf  
24 course typically a deep rooted grass or a shallow  
25 rooted grass, do you know?

1           THE WITNESS (Gagnon): I am not a turf  
2 expert, but I believe it's considered as a deep  
3 rooted grass.

4           MS. GIANQUINTO: And what's that based  
5 on?

6           THE WITNESS (Gagnon): Based on the  
7 idea that, you know, it's routinely maintained,  
8 you know, it's subjected to constant irrigation,  
9 it's got nutrients that it's subjected to. So,  
10 you know, the turf grasses associated on a golf  
11 course are going to be a much more hardy, if the  
12 right word is, to, you know, some of the other  
13 issues that other grasses may not survive, you  
14 know, such as regular traffic, I would think,  
15 would be a good example because golf courses need  
16 to be able to withstand, you know, the traffic on  
17 the greens and the golf carts, et cetera.

18          MS. GIANQUINTO: The grass is usually  
19 mowed short though on a golf course, right?

20          THE WITNESS (Gagnon): Yes.

21          MS. GIANQUINTO: Doesn't that impact  
22 the depth to which the roots are growing?

23          THE WITNESS (Gagnon): Again, I'm not a  
24 turf expert. I wouldn't think so, no.

25          MS. GIANQUINTO: At the earlier hearing

1 you testified that on the East Site the new cart  
2 path which is on the westerly edge of that site --

3 THE WITNESS (Gagnon): Yes.

4 MS. GIANQUINTO: -- will act as a level  
5 spreader for the discharge from the weir wall,  
6 right, do you remember that?

7 THE WITNESS (Gagnon): Yes.

8 MS. GIANQUINTO: Okay. And then that  
9 cart path will be constructed with a 2 percent  
10 pitch to also further dissipate the runoff; do you  
11 remember that testimony?

12 THE WITNESS (Gagnon): Correct, yes.

13 MS. GIANQUINTO: Doesn't that cart path  
14 follow the topography of the site, so it runs  
15 downhill?

16 THE WITNESS (Gagnon): Generally, yeah.  
17 And if I may just clarify, the idea is that the  
18 location of that cart path is going to be  
19 constructed adjacent to the riprap outlet  
20 protection. So the primary flow dissipation or  
21 velocity dissipator from the weir wall is really  
22 going to be a result of that outlet protection  
23 that's provided at that weir wall.

24 MS. GIANQUINTO: The riprap?

25 THE WITNESS (Gagnon): Yes. And as



1 part of that, and this is a comment actually that  
2 we got on one of our other projects from DEEP, is  
3 that essentially that's acting as like a scour  
4 hole such that we have a level riprap berm on the  
5 outer limits of that basin that's going to really  
6 act as the primary level spreader. And then I  
7 think by having the cart path adjacent to that  
8 area, that also is going to actually further  
9 enhance the dissipation of runoff as it leaves  
10 that riprap basin. So it's not going to be the  
11 primary level spreader.

12 MS. GIANQUINTO: So you're considering  
13 the cart path a secondary level spreader?

14 THE WITNESS (Gagnon): Yes.

15 MS. GIANQUINTO: Okay. So the riprap  
16 that you're using you're telling me can be  
17 characterized as a level spreader under DEEP's  
18 regulations?

19 THE WITNESS (Gagnon): It will act as a  
20 level spreader, yes. In other words, we ran, we  
21 have calculations that support that that basin or  
22 the scour hole, as we call it, will adequately  
23 dissipate the flow velocities as they leave the  
24 weir wall. In other words, the idea is that you  
25 need to dissipate that flow energy such that as it

1 leaves that basin area it will not exacerbate any  
2 downstream conditions such as erosion and some of  
3 the other issues that are associated with  
4 concentrated flow.

5 MS. GIANQUINTO: What about the runoff  
6 that isn't actually hitting the basin on the East  
7 Site, that's going to go right to the cart path,  
8 right?

9 THE WITNESS (Gagnon): At the further  
10 southerly limits of the project that is correct,  
11 yes. We are providing a diversion swale that is  
12 designed to capture the runoff from the majority  
13 of the site at the southern panhandle, if I can  
14 call it that, to direct that flow towards the  
15 stormwater basin.

16 MS. GIANQUINTO: And, I mean, if I look  
17 at this, so if I'm looking at SE-3 on the plans,  
18 that's what you're referring to as the southern  
19 panhandle?

20 THE WITNESS (Gagnon): Yes. So to  
21 answer your original -- go ahead.

22 MS. GIANQUINTO: I was going to say, so  
23 we're on the same page, so the diversion swale is  
24 now covered by this like erosion control blanket  
25 crosshatching up at the top, right?

1 THE WITNESS (Gagnon): Yes.

2 MS. GIANQUINTO: So there's still one,  
3 two, three, four, five, six, seven, eight, nine  
4 rows that are below the diversion swale, right?

5 THE WITNESS (Gagnon): Correct.

6 MS. GIANQUINTO: So none of the runoff  
7 from those arrays is being directed to the basin?

8 THE WITNESS (Gagnon): That's correct,  
9 in other words, that flow is going to continue to  
10 the west.

11 MS. GIANQUINTO: Right. And even at  
12 the diversion swale, if I'm looking again at sheet  
13 SE-3, there are one, two, three, four rows where  
14 the westerly edge of those arrays are not, they're  
15 not going to hit the diversion swale, right?

16 THE WITNESS (Gagnon): Correct, yes.

17 MS. GIANQUINTO: So those are also  
18 going to go to the west onto the cart path?

19 THE WITNESS (Gagnon): Correct.

20 MS. GIANQUINTO: And there's a couple,  
21 if you go back up to sheet, what is this, SE-2,  
22 that's true for a couple more panel edges up  
23 there, right, the edges of panel arrays, there  
24 are, it looks like --

25 THE WITNESS (Gagnon): Yeah, the

1 western extents are beyond the diversion swale,  
2 correct.

3 MS. GIANQUINTO: Okay. And then that's  
4 also true there are a couple at the northern edge  
5 of the East Site where runoff isn't going to hit  
6 the basin, right, a couple panel arrays?

7 THE WITNESS (Gagnon): Correct, yes.

8 MS. GIANQUINTO: So you have now added  
9 level spreaders for every single array on the East  
10 Site, right?

11 THE WITNESS (Gagnon): That's correct.

12 MS. GIANQUINTO: Why don't those level  
13 spreaders have outlets at the edges?

14 THE WITNESS (Gagnon): So the idea with  
15 the level spreaders is to -- and we added this, if  
16 I may call it as an enhancement, and it was --  
17 they were added as a result of a question that  
18 came up at the October 1st hearing, I believe, by  
19 one of the councilors expressing I believe the  
20 concern with the orientation of the panels with  
21 respect to the grade and, you know, the possible  
22 issue associated with channelization of flow as it  
23 leaves the panels. So we added the level  
24 spreaders to provide an enhanced level of  
25 protection for water that would be leaving the

1 edges of the panels and essentially will hit those  
2 level spreaders which essentially consist of  
3 crushed stone. And the idea is that, you know, it  
4 will not only dissipate any potential energy as a  
5 result of that water dripping off the edge, but it  
6 will actually also dissipate that flow and also  
7 provide somewhat amount of infiltration as well.

8           So, you know, in terms of providing any  
9 outlet at the ends of those rows, we do not  
10 anticipate that there will be a significant  
11 accumulation of flow at the end of those level  
12 spreaders that would warrant, you know, diverting  
13 that flow back to the basin, if that's what you're  
14 referring to.

15           MS. GIANQUINTO: Well, I mean, I guess  
16 I'm looking at it as you're digging, under each  
17 array there's going to be two trenches, right?

18           THE WITNESS (Gagnon): Correct.

19           MS. GIANQUINTO: And so you're digging  
20 these trenches and the flow is still, I mean,  
21 you're digging the trenches, but you're digging  
22 them in the ground, and so if the contours of the  
23 ground are going to the west, doesn't that mean  
24 that the level spreaders are contoured going to  
25 the west, right, going slightly downhill?

1 THE WITNESS (Gagnon): Yes.

2 MS. GIANQUINTO: So doesn't that mean  
3 that the water in those, if it's not infiltrating,  
4 if you get a large rainstorm, is going to pool,  
5 tend to pool towards the western edge of those  
6 level spreaders, and I don't see any outlet for  
7 them that would help to dissipate what might be a  
8 channelized flow coming out of the western edges  
9 of those level spreaders.

10 THE WITNESS (Gagnon): Yeah, we don't  
11 think that that's going to happen realistically  
12 given the amount of -- because the flow is being  
13 split between -- because these panels are 2 by 5  
14 in portrait, in other words, they're stacked, and  
15 that's why we have that secondary row at the  
16 midline. So that's only effectively catching  
17 about 6 feet of panel, so to speak. So, you know,  
18 we don't really see a lot, a significant amount of  
19 flow that's going to be developed in those  
20 trenches.

21 MS. GIANQUINTO: Okay. Do you have any  
22 hydrologic analysis that supports that opinion?

23 THE WITNESS (Gagnon): No, not on the  
24 trenches, no.

25 MS. GIANQUINTO: Okay. You didn't run

1 any new calculations with the new plans?

2 THE WITNESS (Gagnon): No, we didn't  
3 think it was warranted honestly.

4 MS. GIANQUINTO: Okay. So are you  
5 assuming also that that runoff is just going to  
6 infiltrate so it will never get to the edge to  
7 pool?

8 THE WITNESS (Gagnon): It's going to  
9 travel in the current flow path as it does today.  
10 That's kind of the idea. So, in other words, as a  
11 result of these level spreaders, we don't  
12 anticipate that it's going to change the flow  
13 pattern of the site, so to speak.

14 MS. GIANQUINTO: Okay. So before you  
15 put in the level spreaders though you said you  
16 didn't think that the solar arrays would change  
17 the flow path of the site, right?

18 THE WITNESS (Gagnon): Right.

19 MS. GIANQUINTO: Okay. And so now  
20 you've put in level spreaders, and you're saying  
21 that they do the same thing that you said was  
22 already being taken care of under your original  
23 plans?

24 THE WITNESS (Gagnon): Right.

25 MS. GIANQUINTO: Okay.

1           THE WITNESS (Gagnon): Right. So the  
2 whole idea is, again, we were adding these as an  
3 enhancement because of the concern that was raised  
4 and, you know, it is a measure that's recommended  
5 in Appendix I, but we feel that the original  
6 design would have been adequate. And, you know,  
7 barring any interaction with DEEP stormwater, we  
8 took the liberty of adding these, but obviously,  
9 if DEEP has any further comments relative to this  
10 particular issue, we're more than happy to comply  
11 as necessary.

12           MS. GIANQUINTO: Okay. So you just  
13 mentioned Appendix I, and you've been referring to  
14 this as an enhancement, but, I mean, the questions  
15 that were asked at the first hearing were really  
16 about does Appendix I require this where the slope  
17 is more than 5 percent and the solar panels are  
18 perpendicular, right, isn't that one of the  
19 requirements in Appendix I?

20           THE WITNESS (Gagnon): Yeah. And  
21 again, this is an existing site, so we felt that  
22 with the existing vegetation that's already out  
23 there that, you know, that that would adequately  
24 provide protection from the drip edge, as we had  
25 shown in the original plan. Definitely if this



1 area was graded entirely or disturbed entirely, I  
2 think we would have a different issue, and I think  
3 we most likely would have provided some treatment  
4 at the drip edge in the original plan set if that  
5 were the case.

6 MS. GIANQUINTO: In the Late-Filed  
7 exhibits in what I would call the narrative to the  
8 Late-File, there were grading numbers that were  
9 provided that were exclusive of basins in response  
10 to a question from the Council. What does  
11 "exclusive of basins" mean, like is that just  
12 excluding the grading inside the basins?

13 THE WITNESS (Gagnon): Correct. So  
14 those numbers, yeah, those numbers represent the  
15 grading outside of the limits of the top of the  
16 slope of the stormwater basins.

17 MS. GIANQUINTO: Okay.

18 THE WITNESS (Gagnon): So it does not  
19 include the 3 to 1 slopes or the excavation area  
20 inside of the basins.

21 MS. GIANQUINTO: Okay. But it still  
22 includes all the grading outside of the basins?

23 THE WITNESS (Gagnon): Correct, yes.

24 MS. GIANQUINTO: So you made some  
25 changes to the erosion control blankets in the

1 revised plans. On the west side it looks like you  
2 added a significant amount of erosion control  
3 blanket on the western edge also near where some  
4 of the level spreaders were added. Why did you do  
5 that?

6 THE WITNESS (Gagnon): So again, we  
7 took a second look. And, you know, keeping in  
8 mind that this is always an iterative process,  
9 and, you know, if we can make things better based  
10 on comments that we hear, we're going to go ahead  
11 and do so. So in taking a look at that westerly  
12 side, we felt that it was necessary that we should  
13 really add the erosion control blanket that wasn't  
14 shown on the original drawings.

15 MS. GIANQUINTO: Okay. So you believed  
16 it was necessary to protect the wetlands that are  
17 off to the west of the array there?

18 THE WITNESS (Gagnon): You know, any  
19 off site areas to the west.

20 MS. GIANQUINTO: The level spreaders,  
21 those aren't a water quality practice, right,  
22 they're not for pretreatment?

23 THE WITNESS (Gagnon): Correct.

24 MS. GIANQUINTO: And there's still no  
25 pretreatment at all for the water that is running

1 down to the basins on both sites, right?

2 THE WITNESS (Gagnon): Correct.

3 MS. GIANQUINTO: Why is that?

4 THE WITNESS (Gagnon): Again, unlike a  
5 commercial project, you know, where you're  
6 generating sediment associated with winter deicing  
7 operations and, you know, some of the other matter  
8 that's associated with a commercial site, being a  
9 solar project and talking in post-construction, it  
10 isn't really necessary to provide pretreatment for  
11 the removal of like particulate matter and/or  
12 sediment.

13 MS. GIANQUINTO: It's not required. I  
14 mean, my understanding of the DEEP water quality  
15 standards are that pretreatment is required for  
16 basins. Are you saying that's wrong?

17 THE WITNESS (Gagnon): Pretreatment for  
18 basins that would be designed on a commercial  
19 site, absolutely. But the water in  
20 post-construction that's going to come off of  
21 these areas, again, is not, typically contains  
22 particulate matter or sediment that would  
23 otherwise require pretreatment.

24 MS. GIANQUINTO: Can you point me to  
25 where in the manual or the guidelines there's a

1 distinction made for a commercial site versus  
2 this, can you give me a rule?

3 THE WITNESS (Gagnon): I don't believe  
4 that they mention solar facilities specifically.  
5 But I can tell you that on our to Taugwonk project  
6 in Stonington on our other site that pretreatment  
7 measures did not come up as a requirement as well  
8 as our other site in Montville, Connecticut.

9 MS. GIANQUINTO: So you're going off of  
10 DEEP didn't ask for it before so you're not going  
11 to put it in here; is that right?

12 THE WITNESS (Gagnon): Right.

13 MR. HOFFMAN: I object to that  
14 question. That's incredibly leading.

15 MS. GIANQUINTO: He already answered  
16 it.

17 Did you do any analysis about the flow  
18 capacity of level spreaders, Mr. Gagnon?

19 THE WITNESS (Gagnon): You're talking  
20 the level spreaders underneath the panels?

21 MS. GIANQUINTO: Yeah, the ones you  
22 added.

23 THE WITNESS (Gagnon): No. Those  
24 details are based off of the detail, the  
25 recommended detail in the Appendix I. And again,

1 subject to, you know, obviously subject to further  
2 input from DEEP when they review the design.

3 MS. GIANQUINTO: How are the level  
4 spreaders going to be maintained? There's going  
5 to be mowing on the site, right, there will be  
6 vegetation, so it's, I would think, highly  
7 probable that there's going to be vegetative  
8 matter getting into the level spreaders and  
9 possibly clogging them. Is there any sort of  
10 maintenance plan for those?

11 THE WITNESS (Gagnon): I don't believe  
12 so. I believe they are going to be left as they  
13 are. Obviously, I would expect any woody  
14 vegetation or any weeds that germinate in the  
15 stone area will be removed, appropriately removed.

16 THE WITNESS (La Marche): And this is  
17 Jean-Paul. As a company, we maintain the  
18 landscaping of all of our projects, and the level  
19 spreader is no different. If there's issues with  
20 them, they will be addressed, repaired. If  
21 there's growth, if there's debris, it will be  
22 cleaned. So I think we'll maintain them just as  
23 we would maintain everything else on the site.

24 MS. GIANQUINTO: Mr. Gagnon, was there  
25 a rainfall event that was used to size these level

1 spreaders?

2 THE WITNESS (Gagnon): No.

3 MS. GIANQUINTO: How did you come up  
4 with the sizing?

5 THE WITNESS (Gagnon): There was not a  
6 specific rainfall event that was used to design  
7 these. Again, it's capturing a relatively small  
8 area, you know, it's capturing a 6 foot long panel  
9 essentially. So, you know, we think that the  
10 contribution, you know, the flow contribution is  
11 really minimal. And again, if DEEP has any  
12 comments to that effect, we will be glad to  
13 provide that information.

14 MR. MORISSETTE: Excuse me, Attorney  
15 Gianquinto, do you have much more to go? It's  
16 about time to take a short break. Should we do  
17 that and come back, or are you about ready to wrap  
18 it up?

19 MS. GIANQUINTO: I'm not ready to wrap  
20 it up. Sorry. So it's probably a good idea to  
21 take a break.

22 MR. MORISSETTE: Okay. So we will take  
23 a ten minute break and come back at 3:50.

24 MS. GIANQUINTO: Thank you.

25 MR. MORISSETTE: Thank you, everyone.

1                   (Whereupon, a recess was taken from  
2   3:39 p.m. until 3:50 p.m.)

3                   MR. MORISSETTE: We're back on the  
4   record. Attorney Gianquinto.

5                   MS. GIANQUINTO: Thank you. Mr.  
6   Gagnon, I'm just going to keep going with you and  
7   try to get you off the hot seat. At the last  
8   hearing date there were some questions about the  
9   soil classes on each site and the stepdown, and  
10   there was some debate about that. And it looks  
11   like in the Late-Filed exhibits that the  
12   information submitted clarified some issues about  
13   that. So I just had a couple of follow-up  
14   questions.

15                  THE WITNESS (Gagnon): Sure.

16                  MS. GIANQUINTO: So am I correct that  
17   you used the stepdown to determine peak flows,  
18   right?

19                  THE WITNESS (Gagnon): Correct.

20                  MS. GIANQUINTO: Okay. And so  
21   originally the interrogatories had said that half  
22   the site was soil Class B and half is C, but now  
23   it looks like all of the West Site is Class B,  
24   right?

25                  THE WITNESS (Gagnon): Correct, yes.

1 MS. GIANQUINTO: Okay. And then on the  
2 East Site the majority of it is Class B and the  
3 rest is Class C, so it's 80/20 over there about?

4 THE WITNESS (Gagnon): Correct, yes.

5 MS. GIANQUINTO: And on that little  
6 chart that was submitted, the minus sign and then  
7 the greater sign, is that supposed to be an arrow  
8 indicating you're going from B to C and C to B?

9 THE WITNESS (Gagnon): Yes.

10 MS. GIANQUINTO: Okay. Were the soil  
11 types from the NRCS verified in the field?

12 THE WITNESS (Gagnon): Yes, they were.  
13 They are listed. There is a narrative section in  
14 the stormwater report that talks about those  
15 investigations that were conducted. We typically  
16 like to call them shovel tests which is basically  
17 to substantiate the hydrologic soil or assess the  
18 hydrologic soil conditions with respect to what is  
19 listed in NRCS.

20 MS. GIANQUINTO: Okay. And so the  
21 shovel test, is that the same as the shallow test  
22 pits?

23 THE WITNESS (Gagnon): Yes.

24 MS. GIANQUINTO: Okay. So this  
25 information that was clarified in the Late-File



1 from last week, so that shows that when you're  
2 running your calculations for peak flows, you were  
3 using -- you dropped a full soil class for the  
4 calculations for all of the West Site, right?

5 THE WITNESS (Gagnon): Yes.

6 MS. GIANQUINTO: In doing those  
7 calculations. And so then on the East Site you  
8 did the 80/20 in your calculations?

9 THE WITNESS (Gagnon): Yes. So based  
10 on whatever area, footprint area within the site  
11 was B, we dropped it to C; and respectively,  
12 whatever that small area on the easterly side of  
13 the site that's now C existing, we dropped to D.

14 MS. GIANQUINTO: Okay. And this  
15 information, did that change any of the peak flow  
16 calculations that had been earlier submitted?

17 THE WITNESS (Gagnon): No.

18 MS. GIANQUINTO: Okay. So this is  
19 information that you had used to run those  
20 calculations, it's just that that interrogatory  
21 response had the wrong percentages?

22 THE WITNESS (Gagnon): Correct, yes.  
23 This was just to correct that, yes.

24 MS. GIANQUINTO: Okay. So in response  
25 to interrogatories from the Council, if you want

1 to pull it up, it's the July 23rd responses, and  
2 I'm looking at Question 24.

3 THE WITNESS (Gagnon): I'm getting  
4 there.

5 MS. GIANQUINTO: Wait, hold on. Maybe  
6 that's the wrong one.

7 THE WITNESS (Gagnon): Which should be  
8 on page 9?

9 MS. GIANQUINTO: Yeah, but now that I'm  
10 looking at the text, I think I wrote down the  
11 wrong one. I'm going to have to go back to that  
12 question. Sorry, that's not the right one. All  
13 right. We'll skip that.

14 Okay. In response to interrogatories  
15 from PRESS, you had said that, or I assume it was  
16 you answering the interrogatory, that both basins  
17 are dry detention basins; is that still your  
18 position?

19 THE WITNESS (Gagnon): Correct, yes.

20 MS. GIANQUINTO: But they will have  
21 water in them, right?

22 THE WITNESS (Gagnon): Well, they'll  
23 have water in them during storm events, yes.

24 MS. GIANQUINTO: Right. But your test  
25 pit logs show that there was water at certain

1 depths, right?

2 THE WITNESS (Gagnon): Yes, on the  
3 easterly site.

4 MS. GIANQUINTO: Okay. And that was a  
5 test pit that was at the northern part of that  
6 basin?

7 THE WITNESS (Gagnon): Yes. Actually,  
8 I believe we encountered water there, and I  
9 believe we also encountered water in the other  
10 test pit as well.

11 MS. GIANQUINTO: Okay. Right. There  
12 were two test pits, at least in my reading of the  
13 logs, there were two test pits in that basin area  
14 that had water?

15 THE WITNESS (Gagnon): Yes.

16 MS. GIANQUINTO: And one was only at  
17 1.7 feet down, does that sound about right?

18 THE WITNESS (Gagnon): About right,  
19 yes.

20 MS. GIANQUINTO: I can point you to the  
21 page.

22 THE WITNESS (Gagnon): Yeah.

23 MS. GIANQUINTO: Okay. All right. And  
24 you're building the bottom of the basin dead  
25 level, right, there's no pitch, it's all at one

1 elevation for both sites?

2 THE WITNESS (Gagnon): Correct, yes.

3 MS. GIANQUINTO: So I guess my question  
4 is, if the bottom of the basin is dead level and  
5 there's no pitch and you already know that there's  
6 high -- whether it's high seasonal groundwater or  
7 just regular groundwater there, you know there's  
8 water there. Doesn't that mean that there's going  
9 to be water in the bottom of that basin?

10 THE WITNESS (Gagnon): Well, typically  
11 we like to provide 2 feet of minimum separation  
12 from seasonal high groundwater which we strongly  
13 believe at the time that the test pits were  
14 conducted late in March is we were definitely  
15 under those conditions coming off of a very wet  
16 winter season. So what we had to do is we  
17 actually made adjustments at that time to the  
18 bottom of the basin so that we could achieve that  
19 2 feet of separation.

20 MS. GIANQUINTO: Okay. So you believe  
21 that those adjustments satisfy the separation?

22 THE WITNESS (Gagnon): Yes.

23 MS. GIANQUINTO: Okay. So if there are  
24 actually dry basins, do dry basins provide any  
25 water quality benefits?

1           THE WITNESS (Gagnon): Through  
2 infiltration they can, yes.

3           MS. GIANQUINTO: Okay. But if there's  
4 actually water in there at any point, they're not  
5 going to be letting the sediment settle, right,  
6 the intent is, if you're talking about  
7 infiltration, the intent for a dry basin is water  
8 goes in, water goes out, right, it's not settling  
9 there?

10          THE WITNESS (Gagnon): Well, the idea  
11 is that we're providing that 6 inches of settling  
12 area between the bottom of the V-notch and the  
13 bottom of the basin.

14          MS. GIANQUINTO: Okay so --

15          THE WITNESS (Gagnon): So in other  
16 words, the V-notch is not set at the very bottom  
17 of the basin, so that as soon as the water gets in  
18 there it's going to exit. There's 6 inches of  
19 freeboard there.

20          MS. GIANQUINTO: So why is there only 6  
21 inches? Why wouldn't you make it higher?

22          THE WITNESS (Gagnon): Because we  
23 looked at, you know, obviously we needed to  
24 provide the sediment volume for construction, and  
25 there was a volume, a water quality volume that we

1 had to achieve from the site, as specified in  
2 Appendix I, and those would be for any impervious  
3 surfaces, not the panels, but, you know, equipment  
4 pads, the access roads, and those areas that would  
5 be necessary to provide water quality volume  
6 storage in the bottom of the basin.

7 MS. GIANQUINTO: Okay. So in the  
8 revised plans that were just submitted last week,  
9 you've added a riprap berm inside the basins,  
10 right?

11 THE WITNESS (Gagnon): Yeah, temporary  
12 riprap, yes.

13 MS. GIANQUINTO: So that's to be taken  
14 out once construction is done and everything is  
15 stabilized?

16 THE WITNESS (Gagnon): Correct, right.

17 MS. GIANQUINTO: Okay. And in the  
18 narrative submitted last week, there's a statement  
19 that adding a berm will provide an additional  
20 protection of off-site areas from sediment and  
21 turbidity, right?

22 THE WITNESS (Gagnon): Right.

23 MS. GIANQUINTO: That's your position?

24 THE WITNESS (Gagnon): Yeah. And by  
25 the way, we've used this detail successfully on

1 other projects. It has worked out very well.  
2 We've used it on our Taugwonk site, for example.

3 MS. GIANQUINTO: Okay. Taugwonk isn't  
4 done being constructed, right?

5 THE WITNESS (Gagnon): Correct.

6 MS. GIANQUINTO: How far is it from  
7 being done?

8 THE WITNESS (Gagnon): Gina, I don't  
9 know if you can help me here. I want to say 75  
10 percent complete.

11 THE WITNESS (Wolfman): It's tough to  
12 say what the percentage is without talking to our  
13 construction team, but half the panels, one side  
14 are in, the racking is all complete, Eversource is  
15 working, they're up and working on their equipment  
16 and their system right now. I'm not sure  
17 percentage wise.

18 THE WITNESS (Gagnon): I know all the  
19 civil work is complete, you know, associated with  
20 grading and construction of the basins. That has  
21 been done.

22 THE WITNESS (Wolfman): Yeah, and  
23 they're wiring the systems.

24 MS. GIANQUINTO: You're still putting  
25 in panels. Are all the posts driven in?

1           THE WITNESS (Wolfman): I believe the  
2 posts are, and the panels are still being  
3 installed. There might be one more row of posts,  
4 I'm not positive, but most of them are in.

5           MS. GIANQUINTO: Okay. So, Mr. Gagnon,  
6 turning back to you. My question is about the  
7 turbidity part of that statement, about providing  
8 protection from turbidity. When I think of the  
9 turbidity of the water, I would assume that the  
10 most, the highest turbidity is going to be at the  
11 top level of any water that is getting into that  
12 basin; would you agree with that?

13          THE WITNESS (Gagnon): Yes.

14          MS. GIANQUINTO: Okay. And so it's  
15 more subtle the deeper you go, the closer to the  
16 bottom of the basin, right?

17          THE WITNESS (Gagnon): Right.

18          MS. GIANQUINTO: So I guess my question  
19 is how does this only 6 inches of space there,  
20 doesn't that mean that the water that is getting  
21 out is actually going to be the least settled  
22 water, it's the top level of the water?

23          THE WITNESS (Gagnon): And again,  
24 that's why we're putting in that temporary stone  
25 filter berm to help filter some of that water as



1 it leaves the V-notch.

2 MS. GIANQUINTO: Okay. So the  
3 temporary riprap berm that you're adding there you  
4 believe will take care of the sediment that's  
5 going to -- I mean, I guess I'm just wondering how  
6 that works because it doesn't look like it's small  
7 pebbles that you're proposing there, right?

8 THE WITNESS (Gagnon): I think there  
9 is -- just give me a second. I'm going to pull up  
10 our plan set. So it's a combination of modified  
11 riprap and half-inch stone. If you look at the  
12 detail on Sheet SD-3, the temporary riprap filter  
13 berm, if you look at Section AA, which shows the  
14 wall, we actually have half-inch crushed stone  
15 that's placed underneath the modified riprap.

16 MS. GIANQUINTO: Okay. So that top  
17 layer there that's larger stone, and then under  
18 there it's smaller crushed stone?

19 THE WITNESS (Gagnon): Right, right.

20 MS. GIANQUINTO: And so that crushed  
21 stone is small enough that it's going to trap the  
22 sediment?

23 THE WITNESS (Gagnon): Most of it, yes.

24 MS. GIANQUINTO: Your basins are going  
25 to be used as temporary sediment traps, and so

1 it's during that period of time that the riprap  
2 filters will be in; is that right?

3 THE WITNESS (Gagnon): Correct.

4 MS. GIANQUINTO: And you had provided  
5 calculations showing the storage capacity and then  
6 just revised them with the submission from last  
7 week, right, those calculations?

8 THE WITNESS (Gagnon): Right.  
9 Basically what we did is we just refined the  
10 disturbed area in those calculations.

11 MS. GIANQUINTO: The disturbed area  
12 being the 80 percent on the West Site and the 30  
13 percent on the East?

14 THE WITNESS (Gagnon): Yes.

15 MS. GIANQUINTO: All right. And so can  
16 you confirm that the basins are going to conform  
17 to the shape, depth and volume requirements that  
18 are in the 2002 guidelines?

19 THE WITNESS (Gagnon): Yes.

20 MS. GIANQUINTO: Okay. How deep are  
21 the basins, or I guess they'll be treated as traps  
22 at that point, how deep are they?

23 THE WITNESS (Gagnon): Well, the  
24 overall basin itself is 3 to 3 and a half feet  
25 deep, the effective depth, but the actual depth

1 that's available for sediment is 6 inches from the  
2 V-notch down to the bottom of the basin.

3 MS. GIANQUINTO: Okay. I want to talk  
4 a little bit about the timing. In the new  
5 calculations that you provided last week, there  
6 was a reference to the construction period being  
7 six months and then nine months to stabilization.  
8 Does that mean 15 months from beginning of  
9 construction to stabilization, or is that six  
10 months plus three months to stabilization?

11 THE WITNESS (Gagnon): Six months to  
12 three months.

13 MS. GIANQUINTO: Okay. So nine months  
14 total to stabilization is the assumption you used  
15 in those calculations?

16 THE WITNESS (Gagnon): Right, yes.

17 MS. GIANQUINTO: Okay. And what do you  
18 mean by stabilize, I think it's actually  
19 stabilized site, not stabilization.

20 THE WITNESS (Gagnon): Stabilized site  
21 is generally recognized when you've got at least  
22 70 percent grass coverage in your graded areas.  
23 That's actually the EPA definition.

24 MS. GIANQUINTO: Is that the point when  
25 you would be removing temporary erosion control

1 measures like the silt fence, or would those stay  
2 the same at that level?

3 THE WITNESS (Gagnon): Yeah, it would  
4 really be predicated on, so, you know, during  
5 construction, as you know, there's ongoing  
6 compliance monitoring. So those areas, the upland  
7 areas that were disturbed, would have to be  
8 assessed to see if they in fact are stable before  
9 those controls are removed.

10 MS. GIANQUINTO: Okay. All right. So  
11 you assume the same stabilization period of time  
12 for both of the sites, right?

13 THE WITNESS (Gagnon): Full  
14 stabilization, yes.

15 MS. GIANQUINTO: Well, I'm just talking  
16 about the calculations --

17 THE WITNESS (Gagnon): Yes.

18 MS. GIANQUINTO: -- which you just said  
19 was, it's not really full, right, it's 70 percent  
20 stabilization?

21 THE WITNESS (Gagnon): Right.

22 MS. GIANQUINTO: Or 70 percent grass  
23 coverage, right?

24 THE WITNESS (Gagnon): Right.

25 MS. GIANQUINTO: But you assume nine

1 months for both sites?

2 THE WITNESS (Gagnon): Right.

3 MS. GIANQUINTO: There's significantly  
4 more grading, which means significantly more  
5 compaction on the West Site though, right, 80  
6 percent versus 30 percent disturbance?

7 THE WITNESS (Gagnon): Yes.

8 MS. GIANQUINTO: I guess I'm wondering,  
9 since there's so much more disturbance and so much  
10 more grading, in particular, on the West Site, is  
11 that a fair assumption based on your experience  
12 that both of those sites will be stabilized in  
13 about the same amount of time, there's much less  
14 disturbance on the East Site, right?

15 THE WITNESS (Gagnon): It really  
16 depends on when the sites, if the contractor is  
17 going to do one site versus the other. But  
18 assuming that they are done at the same time,  
19 yeah, I would say they both would be stabilized in  
20 the same time frame.

21 MS. GIANQUINTO: And if that assumption  
22 is wrong and one site, let's say the West Site,  
23 takes longer, does that mean that your  
24 calculations for the adequacy of the sizing of  
25 those traps could be off?

1           THE WITNESS (Gagnon): It could be  
2 construed as that, yes, but again, that's really  
3 the purpose of the ongoing compliance monitoring  
4 to ensure that these facilities are functioning  
5 properly. The other element is that if the basins  
6 become full of sediment, that material needs to be  
7 removed in a timely fashion because you actually  
8 compromise the ability to provide storage from  
9 future storm events. So if that material is, if  
10 the compliance monitor sees that, you know,  
11 there's an issue with the accumulation of material  
12 in the basin, then there's got to be direction  
13 that it needs to be removed.

14           MS. GIANQUINTO: The concrete washout  
15 area, my understanding is that the contractor will  
16 decide where that gets placed on the site; is that  
17 right?

18           THE WITNESS (Gagnon): Yeah, that's  
19 going to have to be coordinated at the time of  
20 construction, correct.

21           MS. GIANQUINTO: Okay. Does the  
22 placement of that site, could that require more  
23 clearing or more grading, or no?

24           THE WITNESS (Gagnon): No.

25           MS. GIANQUINTO: Is that just because

1 they'll pick a site where it doesn't require that?

2 THE WITNESS (Gagnon): Correct.

3 MS. GIANQUINTO: Okay. So we heard at  
4 the last hearing and then again a little bit when  
5 Attorney Bonnano was asking his questions that the  
6 property owner is in the process of redesigning  
7 the golf course right now. I guess my question  
8 is, is it possible that that redesign could impact  
9 the contours of the East Site, could that mean  
10 that suddenly there's water flowing in ways you  
11 didn't anticipate because they've adjusted the  
12 fairways or, you know, added hills or sand traps  
13 in places?

14 THE WITNESS (Gagnon): Maybe Gina can  
15 weigh in on this one a little bit more.

16 THE WITNESS (Wolfman): Yeah, I was  
17 just about to jump in. No, it's more of the  
18 orientation of which way people are driving or  
19 teeing off. It's not any -- we don't anticipate  
20 any change to the surface or the contours of the  
21 golf course. It's more just the logistics of, you  
22 know, which holes would stay in play and what  
23 direction people would be shooting -- or not  
24 shooting but driving.

25 MS. GIANQUINTO: Okay. So the redesign

1 isn't actually going to require any new grading  
2 or, you know, design of hills or putting greens or  
3 anything like that?

4 THE WITNESS (Wolfman): No, other than  
5 the cart path which is already in the plans. That  
6 was the only new feature.

7 MS. GIANQUINTO: Okay. Mr. Gagnon, a  
8 couple more questions for you. There's been no  
9 geotechnical analysis done to date, right?

10 THE WITNESS (Gagnon): Correct.

11 MS. GIANQUINTO: And that won't happen  
12 unless it's approved and you're heading into  
13 construction and --

14 THE WITNESS (Gagnon): Technically,  
15 yeah. So typically we'll conduct geotechnical  
16 investigations as part of the construction  
17 document phase.

18 MS. GIANQUINTO: And the geotech  
19 analysis that will be done at that point, that's  
20 really related to how the solar arrays are going  
21 to be installed, right, it's not related to the  
22 design of the basins?

23 THE WITNESS (Gagnon): Correct.  
24 Although they're going to verify some of the same  
25 parameters that we found such as depth to



1 groundwater, you know, any presence of underlying  
2 bedrock or ledge, as well as subsurface soil  
3 conditions that would be necessary for the design  
4 of the racking assemblies.

5 MS. GIANQUINTO: So given the levels of  
6 water that you found in the deep test pits in the  
7 basin location on the East Site, why didn't you do  
8 some geotech analysis there to confirm that your  
9 assumption is correct about the vertical  
10 separation?

11 THE WITNESS (Gagnon): Based on we felt  
12 that the information that we had was adequate.  
13 And given the time of year that the test pits were  
14 taken, you know, as I had mentioned earlier,  
15 coming off of the wet season, that we strongly  
16 believe that that represented seasonal high  
17 groundwater as well as we didn't find any signs of  
18 mottling in the side walls of the excavation that  
19 would have indicated higher groundwater depths  
20 above what we encountered on that day that the  
21 test pits were taken.

22 MS. GIANQUINTO: Okay. A couple more  
23 questions related to Appendix I. So when this  
24 petition was original submitted, you believe that  
25 it complied with Appendix I, right?

1 THE WITNESS (Gagnon): Yes.

2 MS. GIANQUINTO: And then since then  
3 you've added a whole lot of level spreaders, and  
4 now you believe it also complies with Appendix I,  
5 right?

6 THE WITNESS (Gagnon): Correct.

7 THE WITNESS (La Marche): And this is  
8 Jean-Paul. I just want to clarify that we still  
9 believe that the first submission was in  
10 compliance with the guidelines within Exhibit I,  
11 and the changes were based on what we were  
12 hearing, the questions that we heard from Siting  
13 Council. We were just, as Mike said, adding the  
14 additional conservative measures. But it's not  
15 that we felt that there was an issue or a problem  
16 with the first design. We were just listening to  
17 feedback and improving on it.

18 MS. GIANQUINTO: So when you submitted  
19 the petition, there were some responses to  
20 interrogatories talking about that you had  
21 satisfied Appendix I with respect to the overall  
22 site conditions remaining as sheet flow. I  
23 assume, Mr. Gagnon, that you were responsible for  
24 responding to any interrogatories that were about  
25 Appendix I; is that right?

1 THE WITNESS (Gagnon): Correct, yes.

2 MS. GIANQUINTO: All right. So in  
3 response to those interrogatories, I'm looking  
4 specifically at a response to an interrogatory  
5 from Mr. Hanson, so those responses were dated  
6 August 20th, and I'm looking at the response to  
7 Question 39, which it looks like it's on page --  
8 the response is actually on page 18.

9 THE WITNESS (Gagnon): 18, yes. And  
10 that was which one now, 39?

11 MS. GIANQUINTO: Right. So in response  
12 to a question from Mr. Hanson about complying with  
13 Appendix I, you walked through how you believe  
14 that the project complies, right?

15 THE WITNESS (Gagnon): Correct, yes.

16 MS. GIANQUINTO: And so you were  
17 responsible for drafting that response?

18 THE WITNESS (Gagnon): Yes.

19 MS. GIANQUINTO: Okay. And so within  
20 that interrogatory you said that you believe that  
21 you met the requirement of subsection 1(b) which  
22 is about the overall site conditions because the  
23 runoff in the array area will remain as sheet flow  
24 across the grass area beneath the panels, right?

25 THE WITNESS (Gagnon): Correct.

1 MS. GIANQUINTO: And then on the west  
2 side you said it's graded so it will direct flow  
3 to the basin, right?

4 THE WITNESS (Gagnon): Correct, yeah.

5 MS. GIANQUINTO: And on the east side  
6 there's minimal grading, but there's a diversion  
7 swale also to direct the sheet flow towards the  
8 basin?

9 THE WITNESS (Gagnon): Correct, yes.

10 MS. GIANQUINTO: Okay. So we've  
11 already gone over though that on both sites there  
12 are rows of arrays that don't actually -- that  
13 aren't directed towards the basins, right?

14 THE WITNESS (Gagnon): Yes.

15 MS. GIANQUINTO: Okay. And then you  
16 have added level spreaders, I assume, to avoid the  
17 possible channelization from the drip edges,  
18 right?

19 THE WITNESS (Gagnon): Correct, yes.

20 MS. GIANQUINTO: Okay. So in this  
21 response you were saying that it was all going to  
22 be sheet flow and that it's going to be directed  
23 to the basins, but it's not actually all directed  
24 to the basins?

25 THE WITNESS (Gagnon): Yeah, and I

1 think the clarifying factor is, is that it's  
2 mostly going to be directed to the basins. I  
3 mean, obviously there's some outlier locations, as  
4 you had pointed out, that are going to directly  
5 contribute to off-site areas.

6 MS. GIANQUINTO: So I just want to go  
7 over the outlier locations. I mean, if we're  
8 looking at the East Site, it's that entire  
9 southern panhandle that we've been talking about,  
10 right?

11 THE WITNESS (Gagnon): Yes, absolutely.

12 MS. GIANQUINTO: Which is nine rows?

13 THE WITNESS (Gagnon): Yes.

14 MS. GIANQUINTO: And then also it looks  
15 like four rows at the top?

16 THE WITNESS (Gagnon): Right.

17 MS. GIANQUINTO: I mean, so that's,  
18 what, almost half of the panel arrays are actually  
19 not going to the basin?

20 THE WITNESS (Gagnon): Yes, whatever it  
21 is, yes. So the idea is that --

22 MS. GIANQUINTO: I'm sorry, I think my  
23 video just cut out for a second.

24 THE WITNESS (Gagnon): Are you there?

25 MR. MORISSETTE: We still see you.

1 THE WITNESS (Gagnon): Can you hear me?

2 MS. GIANQUINTO: Oh, yes. Sorry, I  
3 don't know if that's on my end. Sorry about that.

4 THE WITNESS (Gagnon): Okay. Yeah, so  
5 the idea of the stormwater basins is to provide  
6 the peak flow reduction from the site particularly  
7 as a result of the stepdown condition. But the  
8 overall drainage patterns are going to be  
9 maintained as they are today currently, in other  
10 words, that's not going to change. And if there's  
11 certain areas of the sites that are going to  
12 contribute to off-site areas, that's just  
13 particularly on the East Site because the analysis  
14 point that we looked at was that wetland area  
15 that's along North Anguilla Road, and that's  
16 essentially the area that most of the main portion  
17 of the golf course site in that area drains to.  
18 So we utilize that as our analysis comparison.

19 MS. GIANQUINTO: The basins aren't just  
20 to control the peak flow though, right, I mean,  
21 it's part of your design that you're supposed to  
22 be maintaining the overall site conditions in  
23 terms of --

24 THE WITNESS (Gagnon): Right.

25 MS. GIANQUINTO: -- of sheet flow,

1 right?

2 THE WITNESS (Gagnon): Yes.

3 MS. GIANQUINTO: Okay. And so the  
4 basins also help prevent having channelized flow  
5 going off of the sites, right?

6 THE WITNESS (Gagnon): Yes, as a result  
7 of larger flows.

8 MS. GIANQUINTO: All right. Is it  
9 feasible to build one of these sites without the  
10 other, or do both have to be approved in order for  
11 the project to work? This is probably for  
12 Jean-Paul.

13 THE WITNESS (La Marche): The project  
14 should be considered as one project.

15 MS. GIANQUINTO: And so I'm just asking  
16 because in response to one of the interrogatory  
17 questions about whether there were other feasible  
18 layouts, the response was that within the  
19 available lease area this is the only feasible  
20 layout. So I guess my assumption is based on that  
21 interrogatory response that it's not actually  
22 feasible to decrease the footprint; is that right?

23 THE WITNESS (La Marche): Yes, yes. It  
24 is not feasible for us to decrease the footprint  
25 on this project.

1 MS. GIANQUINTO: There was a claim in  
2 the petition and then it was repeated in response  
3 to interrogatory questions, actually the same set  
4 we were just looking at from the 8/20  
5 interrogatories, the response to Question 38,  
6 there's a claim about putting in the solar panels  
7 will actually reduce the water usage by the golf  
8 course by 33 percent, and the same figure for  
9 pesticide control products use. I was wondering  
10 where that calculation comes from. It looks like  
11 in the response it says, well, you're losing 33  
12 percent of the holes on the golf course, and  
13 therefore that means it must be 33 percent less  
14 water and pesticide control which to me means  
15 there's an assumption that each hole on the golf  
16 course is using the same amount of water and the  
17 same pesticide control. I'm just wondering if  
18 there's any background to that? Did someone do  
19 that calculation based on some sort of known  
20 model?

21 THE WITNESS (Wolfman): This is Gina  
22 Wolfman. That information came from the golf  
23 course owner/manager based on their records,  
24 groundskeeping.

25 MS. GIANQUINTO: So do they track it



1 like by the hole? I just -- it seemed odd to me  
2 that it would be a direct correlation like that,  
3 so I was just curious.

4 THE WITNESS (Wolfman): I'm not sure.  
5 I'm assuming that maybe the holes take up the same  
6 amount of area. I can confirm that with him, but  
7 that would make sense. I'm not a golfer so I  
8 don't really know, but I would think the holes are  
9 generally similar in size and configuration.

10 MS. GIANQUINTO: I guess I was thinking  
11 like some of them have really long fairways, some  
12 are shorter, but, you know, have curves and stuff,  
13 so it just surprised me that they would all be  
14 equal like that, so I wasn't sure. But that was  
15 just all done by the landowner?

16 THE WITNESS (Wolfman): That was  
17 provided to us.

18 MS. GIANQUINTO: Okay. I wanted to ask  
19 a couple questions about decommissioning, so I  
20 think that's back to you, Ms. Wolfman. So we went  
21 over at the last hearing some of the assumptions  
22 that were made in the decommissioning plan, and  
23 then in the Late-File submission from last week it  
24 looks like there was a review and you're conceding  
25 that likely it's not going to be free to recycle

1 the concrete pads, right?

2 THE WITNESS (Wolfman): Correct, that  
3 was an oversight on our part.

4 MS. GIANQUINTO: Okay. And I just  
5 wanted to, in that Late-File based on the numbers  
6 that you put in there, it looks like you're  
7 assuming out of the options that were available  
8 there that you would likely transport the  
9 concrete, and so you'd be paying by the load  
10 rather than having someone come and get it?

11 THE WITNESS (Wolfman): Yes.

12 MS. GIANQUINTO: Okay. Have you  
13 reviewed Mr. Trinkaus's prefile testimony?

14 THE WITNESS (Wolfman): I have to some  
15 extent.

16 MS. GIANQUINTO: Okay. So there is  
17 specifically a section on decommissioning where it  
18 says he called around about recycling the panels  
19 and also did some research on the labor and rental  
20 estimates. Did you read that?

21 THE WITNESS (Wolfman): Yes, I did see  
22 that.

23 MS. GIANQUINTO: Okay. And he comes to  
24 the conclusion that it's actually going to cost a  
25 lot more to do the decommissioning, you saw that?

1           THE WITNESS (Wolfman): I did see that,  
2 and we did our own review and estimate and it's  
3 what was presented.

4           MS. GIANQUINTO: Okay. So did you  
5 actually call -- so just looking at the labor and  
6 rental estimates, did you actually call companies  
7 around Connecticut to find out about the rental  
8 prices and the labor prices, how did you reach the  
9 lower numbers?

10          THE WITNESS (Wolfman): As noted in the  
11 clarifications, the template that we were required  
12 to that was peer reviewed and provided by an  
13 engineer on several projects we worked on, and  
14 then that was reviewed internally by our cost  
15 estimation group. It's a separate team. And  
16 those numbers were all reviewed and provided, and  
17 we reviewed them from site to site or project to  
18 project.

19          MS. GIANQUINTO: Okay. So that was the  
20 template that was for something in Massachusetts,  
21 that's what that's based off of?

22          THE WITNESS (Wolfman): Correct. And  
23 then they were revised based on our projects from  
24 project to project after that.

25          MS. GIANQUINTO: Okay. A couple

1 questions about lead which I think is also going  
2 to go to you. Okay. So your prefile testimony  
3 discusses lead, and then I think basically the  
4 information that was in the Late-File submission  
5 seemed to be sort of pulled out of your prefile  
6 testimony and some interrogatory responses. So my  
7 understanding is that Greenskies doesn't know yet  
8 what panel they're using yet for this project,  
9 right?

10 THE WITNESS (Wolfman): We would either  
11 use the one that was selected or one that's  
12 comparable in composition and fabrication.

13 MS. GIANQUINTO: Okay. So when you say  
14 selected, you just mean the one that you're basing  
15 all the discussion about the chemical analysis,  
16 the leaching protocols, so you would either use  
17 this specific panel or something that you think is  
18 similar?

19 THE WITNESS (Wolfman): Or an  
20 equivalent panel, correct.

21 MS. GIANQUINTO: But it hasn't actually  
22 been selected yet, it's just that this is the one  
23 that you chose to give us all this information  
24 about, or is it the one you're most likely to use?

25 THE WITNESS (Wolfman): Yes, we

1 specified the project with this one, and as we  
2 stated, it's typical in the industry and in  
3 development of projects to select what's available  
4 at the time. You know, the industry is changing,  
5 technology changes. We don't know when we'll have  
6 our approval. And that will be done through  
7 procurement later.

8 MS. GIANQUINTO: So with the testing  
9 that was done on that panel, there was lead  
10 detected, yes. All the other parameters, heavy  
11 metals, et cetera, there were nondetects. There  
12 was a level of lead detected, but I understand  
13 it's under the 5 which is the EPA limit, right?

14 THE WITNESS (Wolfman): Correct .

15 MS. GIANQUINTO: Okay. And so your  
16 position is that because it's under that EPA  
17 standard, that it's okay, right?

18 THE WITNESS (Wolfman): Well, yes, the  
19 panel, I think -- I'm not sure how much everyone  
20 understands about the toxicity characteristic  
21 leaching procedure, but that's used to determine  
22 whether a material, how it's disposed, so whether  
23 it needs to be disposed as hazardous waste or not,  
24 or it can go to a solid waste facility.

25 MS. GIANQUINTO: Right.

1 THE WITNESS (Wolfman): And the  
2 manufacturer had a sample of panels run for the  
3 TCLP analysis. And they pulverize them, they  
4 crush them, they compact them. They're not in the  
5 condition that they would be under normal  
6 operating conditions or any anticipated events,  
7 storm events or damage. So yes, they ran the  
8 sampling on that, and the lead did come up lower.  
9 So this is the ultimate worst case of if you were  
10 to take a completely crushed module and put in a  
11 landfill with no protection, that's the leaching  
12 potential.

13 MS. GIANQUINTO: Right, it has to be  
14 treated as hazardous material, right?

15 THE WITNESS (Wolfman): Correct.

16 MS. GIANQUINTO: If it's over 5, okay.  
17 All right. You're familiar with the Stonington  
18 zoning regulations, right?

19 THE WITNESS (Wolfman): Yes.

20 MS. GIANQUINTO: Your prefile testimony  
21 refers to them multiple times, right?

22 THE WITNESS (Wolfman): Yes.

23 MS. GIANQUINTO: Are you aware that the  
24 Stonington zoning regulations that apply to the  
25 Groundwater Protection Overlay District prohibit

1 the use of any hazardous materials in quantities  
2 that are greater than a household use?

3 THE WITNESS (Wolfman): Correct. And  
4 that's typically chemicals that are used on a site  
5 or stored on a site or anything that could  
6 potentially spill, you know, anything that would  
7 normally require being locked in a cabinet, you  
8 know, and stored properly.

9 MS. GIANQUINTO: Right. So in your  
10 prefile testimony you opine about all the possible  
11 permissible uses within this zone, right, you have  
12 in there duplex housing, convalescent homes,  
13 lumber mills, et cetera, right?

14 THE WITNESS (Wolfman): Yes.

15 MS. GIANQUINTO: Do you understand  
16 though that because this site is within the  
17 Groundwater Protection Overlay District it's not  
18 actually that simple, that actually even those  
19 uses that might be permissible under that zoning  
20 classification might not be permissible because of  
21 the additional protections required in the  
22 Groundwater Protection Overlay District?

23 THE WITNESS (Wolfman): Yes.

24 MS. GIANQUINTO: Okay. And so anyone  
25 else who is trying to build on these sites,

1 because they would be going through local zoning,  
2 would have to comply with those higher standards  
3 under the zoning regs, right?

4 THE WITNESS (Wolfman): Yes.

5 MS. GIANQUINTO: Have you ever provided  
6 any of the revised site plans to the town?

7 THE WITNESS (Wolfman): Excuse me, I'm  
8 sorry. Could you repeat that?

9 MS. GIANQUINTO: Yes. Have you  
10 provided any of the revised site plans to the  
11 town?

12 THE WITNESS (Wolfman): I believe when  
13 we submit something to the Council, the town might  
14 be notified. Maybe Mr. Hoffman could clarify, but  
15 I believe that anything that goes into the public  
16 record would be available to the town.

17 MS. GIANQUINTO: Right, I understand  
18 it's posted publicly, but the town isn't a party,  
19 so they're not being served with a copy, at least  
20 as I understand the practice. So I was wondering  
21 if you've separately been providing the town with  
22 any copies of revised plans?

23 THE WITNESS (Wolfman): We have not  
24 provided this latest plan set.

25 MS. GIANQUINTO: Did you provide the



1 revision that was submitted before the first day  
2 of the hearing?

3 THE WITNESS (Wolfman): Before the  
4 first? I'm not sure which set that was.

5 MS. GIANQUINTO: So since it was filed,  
6 the site plans have now been revised twice, once  
7 was last week and once was the week before the  
8 first hearing date. So you just said that you  
9 don't believe the town was provided with what was  
10 filed last week, and I was just trying to find out  
11 if the first revision was supplied to them.

12 THE WITNESS (Wolfman): I don't believe  
13 so.

14 MS. GIANQUINTO: So in your  
15 communications with town residents, you heard  
16 concerns about the impact on property values,  
17 right?

18 THE WITNESS (Wolfman): Yes.

19 MS. GIANQUINTO: And in some of the  
20 correspondence that was submitted, I don't know if  
21 it was with your prefiled -- I think it was in  
22 response to interrogatories, you submitted some  
23 correspondence in which you provided a fact sheet  
24 to property owners who were concerned about  
25 property values, right?

1 THE WITNESS (Wolfman): Yes.

2 MS. GIANQUINTO: Do you remember that?

3 THE WITNESS (Wolfman): I do. Yes, I  
4 do.

5 MS. GIANQUINTO: Okay. And that fact  
6 sheet very generally it makes a claim that there's  
7 actually not a negative impact to property values  
8 that are in proximity of solar farms, right, that  
9 in fact there might be a small increase in  
10 property value?

11 THE WITNESS (Wolfman): That's correct,  
12 that's what that fact sheet stated.

13 MS. GIANQUINTO: Okay. Have you read  
14 any of the studies that that fact sheet cites to  
15 that it's based on?

16 THE WITNESS (Wolfman): They refer to a  
17 couple of appraisals and studies that took place  
18 in other --

19 MS. GIANQUINTO: Right, other parts of  
20 the country, right, none of those studies were  
21 done in the northeast?

22 THE WITNESS (Wolfman): Not in that  
23 fact sheet.

24 MS. GIANQUINTO: Okay. Are you aware  
25 of a study that just came out earlier this month,

1 or actually I think it was September 30th, that  
2 analyzed the impact of solar installations on  
3 property values in Massachusetts and Rhode Island?

4 THE WITNESS (Wolfman): Yes, I am aware  
5 of that study from the University of Rhode Island,  
6 and that was performed by (inaudible) and the  
7 Department of Environmental and Natural Resource  
8 Economics, College of Environmental Life Sciences.

9 MS. GIANQUINTO: Right. And that study  
10 which was done in the northeast and really  
11 adjacent to Stonington, that study concluded that  
12 there was a negative impact, right?

13 THE WITNESS (Wolfman): It did.

14 MS. GIANQUINTO: Right. And that if  
15 homes are within point one miles of a solar  
16 installation, they actually could decrease in  
17 value by as much as 7 percent, right?

18 THE WITNESS (Wolfman): That's what  
19 that study concluded. That study also did --

20 MS. GIANQUINTO: Sorry, that was my  
21 question. Are you still going to be handing out  
22 that same fact sheet?

23 MR. HOFFMAN: The witness didn't finish  
24 answering the question.

25 MS. GIANQUINTO: She did answer my

1 question.

2 MR. MORISSETTE: Attorney Hoffman.

3 MR. HOFFMAN: Attorney Gianquinto cut  
4 off the witness as she was answering.

5 MS. GIANQUINTO: My question though was  
6 whether she was aware, and she said yes, so my  
7 question was answered.

8 THE WITNESS (Wolfman): I'm aware, but  
9 I also wanted to explain what I'm aware of, if  
10 that's okay? I'm aware that none of the  
11 facilities in that study were located on a golf  
12 course. And I'm also aware that the study was  
13 reviewed and a new article was released today  
14 indicating that --

15 MS. GIANQUINTO: No, I'm sorry, I'm  
16 going to object because anything that was released  
17 today is not part of the record. And if  
18 Greenskies wants to go ahead and try to supplement  
19 it, then we can deal with that, but that's not  
20 information that I have in front of me, so that's  
21 not fair.

22 MR. HOFFMAN: She's answering your  
23 question.

24 MS. GIANQUINTO: I asked her about a  
25 study, Attorney Hoffman, and she has answered my

1 question about the study. And now she's trying to  
2 go beyond that about some article that was  
3 published today.

4 MR. HOFFMAN: Which apparently, if you  
5 let the witness finish, would relate to that  
6 study, so it's germane to what she knows about  
7 your study.

8 MS. GIANQUINTO: Well --

9 MR. MORISSETTE: Excuse me, I will let  
10 her complete her statements, and we'll continue  
11 on.

12 THE WITNESS (Wolfman): So my  
13 understanding is that the URI study failed to  
14 delineate the impacts of projects that were  
15 adequately screened from those that weren't. And  
16 the focus of it was really to measure the impact  
17 of a loss of green space or open space. And any  
18 development would contribute to a loss of green  
19 space, not necessarily solar facilities. And I  
20 believe that anyone in the appraisal industry  
21 would probably have a different take on that  
22 study. The authors of it were not -- from the  
23 business school. They were not certified real  
24 estate appraisers. And I believe that the most  
25 accurate information would come from someone who

1 is certified to appraise real property. And there  
2 are also other --

3 MS. GIANQUINTO: You're not certified  
4 to appraise real property, right?

5 THE WITNESS (Wolfman): Excuse me?

6 MS. GIANQUINTO: I said you're not  
7 certified to appraise real property, right?

8 THE WITNESS (Wolfman): I'm not. I'm  
9 not in a position to provide an opinion  
10 professionally or personally. And my general  
11 understanding is that there are many other factors  
12 that actually affect property values, including  
13 other development in the area, local economy, the  
14 supply and demand of housing stock, interest  
15 rates, planning and zoning of the property itself,  
16 regulations that apply to it. So, yes, this is  
17 one study with one angle and one slant. We also  
18 provided Late-Filed -- a list of admin notice  
19 items that were done by real estate appraisers  
20 around the country and with some varying results.

21 MS. GIANQUINTO: Sure. So let's talk  
22 about those Late-Filed exhibits then. You're  
23 familiar with all of those studies?

24 THE WITNESS (Wolfman): We just  
25 generally reviewed them and understand that they

1 were done by real estate appraisers and came up  
2 with a different conclusion, but again, I'm not --  
3 I don't have the baseline to assess and pick apart  
4 every study that's been done, you know, on  
5 property values. That's not my area of expertise.

6 MS. GIANQUINTO: Right. But the  
7 problem is that you're now saying that because the  
8 -- I was asking you about one survey, you're  
9 referring to these other surveys, so now I'm going  
10 to ask you some questions about these other  
11 surveys. Are you aware that most of those surveys  
12 that you submitted with the request for  
13 administrative notice were actually done on behalf  
14 of developers with respect to the potential impact  
15 on property values at specific sites mostly in the  
16 midwest?

17 THE WITNESS (Wolfman): I do. And many  
18 of them were not just from the midwest. They had  
19 groups of sites, some on Long Island and in the  
20 Mid-Atlantic area, in other parts of the country  
21 as well. And the fact that they were done on  
22 behalf of developers is, I mean, unless you're  
23 saying that people are acting unethically because  
24 they're professionals who their job is to appraise  
25 a specific project and the impact.

1 MS. GIANQUINTO: Right, specific  
2 projects that were mostly in the midwest. There  
3 was one site that was in New York on Long Island  
4 that you just referred to.

5 THE WITNESS (Wolfman): There were  
6 other parts of this --

7 MS. GIANQUINTO: Besides the one in New  
8 York, which I suppose you could say is northeast,  
9 there were no others that were in the northeast,  
10 right?

11 THE WITNESS (Wolfman): I'd have to  
12 look at them more carefully to look at the  
13 groupings of sites from each one.

14 MS. GIANQUINTO: When you met with the  
15 town about this proposal, did you ask them to keep  
16 it confidential originally?

17 THE WITNESS (Wolfman): I had said not  
18 to distribute the plans because they weren't final  
19 yet, they were very preliminary, so we were going  
20 to provide more information.

21 MS. GIANQUINTO: But you had sent it by  
22 email, right, to a municipality, so did you  
23 understand that that would be subject to FOIA?

24 THE WITNESS (Wolfman): Yeah, I did. I  
25 didn't realize that until after, so yeah.



1 MS. GIANQUINTO: That's it for my  
2 questions. Thank you.

3 MR. MORISSETTE: Thank you, Attorney  
4 Gianquinto.

5 We would like to move on with  
6 cross-examination of the petitioner by the  
7 Council, starting with Mr. Mercier.

8 Mr. Mercier, are you with us?

9 MR. MERCIER: I apologize, I had the  
10 mute button on. Yes, I have a couple of questions  
11 to clarify some of the level spreader discussion  
12 that occurred earlier. And as was discussed,  
13 these are shown on the revised site plans that  
14 were submitted.

15 So I understand, these level spreaders,  
16 they're going to be installed not on top of the  
17 ground but in trenches; is that correct?

18 THE WITNESS (Gagnon): This is Mike  
19 Gagnon. Yes, that's correct.

20 MR. MERCIER: Okay. And looking at  
21 your plan, these are all disconnected, I'll call  
22 it, there's not a single trench that goes down a  
23 row of panels, it's just underneath each panel,  
24 correct?

25 THE WITNESS (Gagnon): Correct.

1 MR. MERCIER: Okay. And what's the  
2 spacing of the level spreaders as they run down  
3 gradient of the hill? I saw the detail showed it,  
4 you know, you had the racking, you had the upper  
5 module with the level spreader then a lower  
6 module. What was the spacing between the modules  
7 for the level spreader?

8 THE WITNESS (Gagnon): So are you  
9 talking between each level spreader as they're  
10 placed below the drip edge it would be  
11 approximately 6 feet, if you're looking at it in  
12 section, if that's what you're referring to.

13 MR. MERCIER: 6 feet, okay. So is that  
14 the orientation to the west? I guess that's what  
15 I'm referring to.

16 THE WITNESS (Gagnon): Yes.

17 MR. MERCIER: Okay, thank you. So as  
18 the water falls off the modules and collects in  
19 these level spreaders and they're not  
20 disconnected, so what happens to the runoff as it  
21 reaches the end of the level spreader, I'll call  
22 it, there's no more level spreader for it to flow,  
23 would it simply infiltrate the soil or kind of  
24 bubble up?

25 THE WITNESS (Gagnon): Well, it's going

1 to dissipate. The idea of the level spreaders is  
2 to provide protection of the ground directly  
3 underneath the drip edge. So to use an example,  
4 you know, for example, the stone that's placed  
5 below the drip edge of a roof of a building that  
6 doesn't have gutters, it's really to, you know, to  
7 dissipate that velocity as a result of the falling  
8 droplets as it hits the ground so that you don't  
9 really create that channelization as a result of  
10 that velocity. We don't believe that there is  
11 going to be any significant collection, if you  
12 want to call it that, as a result of that.

13 MR. MERCIER: Thank you. You know, I  
14 was looking at the Appendix I, Figure 2, and that  
15 kind of showed the detail of the level spreader.  
16 It didn't really give any dimensions or anything  
17 of that nature. And I was looking at your detail  
18 sheet in your revised site plans and you did show  
19 some detail. It's 8 inches wide by 6 -- excuse  
20 me, 6 inches deep I believe that said.

21 THE WITNESS (Gagnon): Correct, yes.

22 MR. MERCIER: So how did you come up  
23 with these dimensions, was that based on any other  
24 guidance from the DEEP stormwater program or --

25 THE WITNESS (Gagnon): No, no, no,

1 there was no direct guidance from any DEEP  
2 documents to come up. This was a detail, I  
3 believe, that we derived from like a similar  
4 application that I just spoke of, like the drip  
5 edge from the roofline of a small building which  
6 would, you know, would be similar in this case.

7 MR. MERCIER: Okay. Thank you. And I  
8 just want to discuss the weir structure again for  
9 your sediment slash detention basins. Just so I  
10 understand, I think you previously stated today  
11 that the riprap outlet would actually filter  
12 sediment as it flows out through the weir  
13 structure?

14 THE WITNESS (Gagnon): No, that's the  
15 temporary stone filter berm that's being provided  
16 at each of the weir walls during construction.  
17 And yes, those would help to contain sediment in  
18 the basin, i.e., minimize it from running into  
19 off-site areas or leaving the basin area.

20 MR. MERCIER: So if there's sediment  
21 laden water flowing through this temporary  
22 structure, it's going to slow down the velocity  
23 and the intent is to drop sediment, correct?

24 THE WITNESS (Gagnon): Correct.

25 MR. MERCIER: Does that structure

1     itself require periodic cleaning?

2                 THE WITNESS (Gagnon): Yes. So  
3 obviously through the routine inspections if it's  
4 determined that the stone gets clogged with  
5 sediment, it will have to be maintained, and that  
6 will be periodically checked during the compliance  
7 inspections. So if the stone gets choked with  
8 sediment, it's no longer going to be functioning,  
9 and it will have to be replaced or cleaned.

10                MR. MERCIER: So you have to dismantle  
11 portions of it or all of it based on site  
12 conditions?

13                THE WITNESS (Gagnon): Right.

14                MR. MERCIER: Remove it, clean it,  
15 rebuild it. Okay. Thank you.

16                My final question has to do with the  
17 noise. There was a little discussion earlier  
18 about some monitoring that was done and some  
19 calculations that were done. Now, would the  
20 petitioner be amenable to doing any type of  
21 post-construction noise monitoring along the  
22 property boundaries just to ensure that this  
23 project complies with the state noise criteria?

24                THE WITNESS (La Marche): We're open to  
25 that idea, yeah. It obviously depends on exactly

1 what it is and how it's done, but in general we're  
2 open to it.

3 MR. MERCIER: Okay. Thank you. I have  
4 no other questions.

5 MR. MORISSETTE: Thank you, Mr.  
6 Mercier.

7 And now we'll move on to Mr. Hannon.  
8 Thank you.

9 MR. HANNON: I just have one question  
10 that came up regarding the panels. And my  
11 understanding is that there may be some indication  
12 that there is lead in the panels. I'm curious,  
13 one, as to whether or not it might be related to  
14 lead solder that's used in the panels?

15 The other thing I'm bringing up is I  
16 would have a question as to whether or not this  
17 may be a product where there's a problem for the  
18 intentional introduction of lead, mercury, cadmium  
19 or hexavalent chromium into various products  
20 because there are laws in Connecticut forbidding  
21 that unless you've done an exemption. So I'm just  
22 curious as to where you think the lead might be  
23 coming from.

24 THE WITNESS (Wolfman): This is Gina.  
25 Go ahead.

1           THE WITNESS (La Marche): You can  
2 answer, Gina.

3           THE WITNESS (Wolfman): The lead is  
4 from lead solder. And we communicated with the  
5 manufacturer, and they confirmed that none of the  
6 other riprap or heavy metals are contained in that  
7 model module.

8           MR. HANNON: But the packaging  
9 legislation talks about the intentional  
10 introduction of certain things, lead being one of  
11 them. We've been trying to outlaw lead solder in  
12 Connecticut for 20 years plus. So I'm just  
13 curious if there are other manufacturers that may  
14 be able to produce a similar panel but without  
15 using lead solder.

16          THE WITNESS (Wolfman): I'm not sure if  
17 I can answer that question, but I can say that  
18 it's contained within the system in the layers, so  
19 everything is within the glass panels. And  
20 there's a back panel. And these are bifacial, so  
21 there's glass on both sides, and everything is  
22 sealed within those two glass panels.

23          MR. HANNON: I can appreciate that.  
24 I'm just getting at the point where this  
25 intentional introduction of lead into a material

1 and a product in Connecticut, and that may be a  
2 little problematic. So I haven't really heard too  
3 much about other people bringing in products with  
4 lead solder, but there was a product in  
5 Connecticut that I want to say maybe 12, 15 years  
6 ago, in that time frame, and it was a display box  
7 that a company was promoting in Connecticut to  
8 identify this little flashing red light on a knee  
9 joint, it was like a glucosamine type of a  
10 product. There was lead in the solder. That  
11 violated the law, therefore we actually made them  
12 remove those containers, and they threw away a lot  
13 of them because it wasn't allowed in Connecticut.  
14 So I'm just saying, you need to double check with  
15 the panel manufacturer to make sure that they're  
16 not using lead in the solder because that looks  
17 like it could be an intentional introduction of  
18 one or more specific heavy metals into a product.  
19 So that's something you need to look at.

20 THE WITNESS (Wolfman): Okay. Is there  
21 a specific percentage, if it's a trace amount or a  
22 de minimis amount, a percentage of the solder?

23 MR. HANNON: No. It's with the  
24 intentional introduction of if there's lead,  
25 cadmium, hexavalent chromium or mercury.



1 THE WITNESS (Wolfman): Okay. So it  
2 doesn't matter what level it is in that product in  
3 the solder?

4 MR. HANNON: Correct.

5 THE WITNESS (Wolfman): Or whether it's  
6 contained in its --

7 MR. HANNON: I mean, once somebody  
8 disposes of the product, what happens with it  
9 then? If it's burned, that can create some  
10 emission problems. So again, there may be ways of  
11 working with a manufacturer that doesn't use the  
12 lead solder. That's all I'm suggesting that you  
13 take a much closer look at.

14 THE WITNESS (Wolfman): Okay.

15 MR. HANNON: That's the only question I  
16 had.

17 MR. MORISSETTE: Thank you, Mr. Hannon.  
18 We will move on to Mr. Nguyen. Mr.  
19 Nguyen?

20 MR. NGUYEN: Yes. I have no questions,  
21 Mr. Morissette. Thank you.

22 MR. MORISSETTE: Thank you, Mr. Nguyen.  
23 Next is Mr. Lynch.

24 MR. LYNCH: No questions, Mr. Chairman.

25 MR. MORISSETTE: Thank you, Mr. Lynch.

1 I have a follow-up question myself, and  
2 it has to do with the Late-Filed exhibits. It's  
3 really more of a comment than it is a question,  
4 and it relates to Section D. We had a discussion  
5 at the last hearing about Tariff SG2. I want to  
6 make sure I understand. You are interconnecting  
7 with Eversource, correct?

8 THE WITNESS (Wolfman): Correct.

9 MR. MORISSETTE: And you are selling to  
10 Eversource under their self-generation rate,  
11 correct?

12 THE WITNESS (Wolfman): Yes.

13 MR. MORISSETTE: Okay. And I can't  
14 find anywhere where there is a Connecticut Light  
15 and Power Company SG2 Tariff. Not that it really  
16 matters because you will be selling to CL&P or  
17 d/b/a Eversource under their non-firm tariff, but  
18 I do want to state that the SG2 Tariff is actually  
19 a UI tariff, not a CL&P tariff. So I want to note  
20 that for the record. But nonetheless, you will be  
21 selling to Eversource under their non-firm tariff.  
22 So I'll leave it at that.

23 THE WITNESS (La Marche): Can I make  
24 one comment?

25 MR. MORISSETTE: Yes, certainly,

1 please.

2 THE WITNESS (La Marche): I believe us  
3 using the word SG2 Tariff is incorrect, and it was  
4 the SG2 Rate that we were selling the power back  
5 to.

6 MR. MORISSETTE: Okay. I don't believe  
7 there's an SG2 Rate either, so you might want to  
8 take a look at that.

9 THE WITNESS (La Marche): Okay.

10 MR. MORISSETTE: It's slightly  
11 different than -- CL&P's rate is slightly  
12 different than UI's rate.

13 THE WITNESS (La Marche): Okay.

14 MR. MORISSETTE: But I will leave it at  
15 that. Thank you. That's all the questions or  
16 statements I have.

17 Let's see, I think what we're going to  
18 do is we're going to break the hearing and  
19 continue at another time. And what we will do is  
20 we will start with the appearance by Douglas  
21 Hanson when we reconvene, and we will reconvene on  
22 November 10th at 2 p.m.

23 So the Council announces that we will  
24 continue this remote evidentiary session of this  
25 hearing on November 10, 2020 at 2 p.m.

1                   And before we release the hearing,  
2 please note that anyone who has not become a party  
3 or intervenor or who desires to make his or her  
4 views known to the Council may file written  
5 statements with the Council until the public  
6 comment record closes.

7                   Copies of the transcript of this  
8 hearing will be filed with the Stonington Town  
9 Clerk's Office.

10                  I hereby declare this hearing  
11 adjourned. Thank you very much for your  
12 participation. Have a good evening.

13                  (Whereupon, the witnesses were excused,  
14 and the hearing adjourned at 4:57 p.m.)  
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CERTIFICATE OF REMOTE HEARING

I hereby certify that the foregoing 140 pages are a complete and accurate computer-aided transcription of my original stenotype notes taken of the PUBLIC HEARING HELD BY REMOTE ACCESS IN RE: Petition No. 1410, Greenskies Clean Energy, LLC petition for a declaratory ruling, pursuant to Connecticut General Statutes Section 4-176 and Section 16-50k, for the proposed construction, maintenance and operation of a 3.0-megawatt-AC solar photovoltaic electric generating facility on two parcels at the Elmridge Golf Course located to the east and west of North Anguilla Road at the intersection with Elmridge Road, Stonington, Connecticut, and associated electrical interconnection, which was held before JOHN MORISSETTE, PRESIDING OFFICER, on October 20, 2020.

*Lisa Warner*

-----  
Lisa L. Warner, CSR 061  
Court Reporter  
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I N D E X

**WITNESSES: (PREVIOUSLY SWORN)**

GINA L. WOLFMAN  
RYAN LINARES  
JEAN-PAUL La MARCHE  
MEGAN B. RAYMOND  
MICHAEL R. GAGNON

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**PETITIONER'S LATE-FILED EXHIBITS  
(Received in Evidence.)**

EXHIBIT	DESCRIPTION	PAGE
II-B-11	Petitioner's Late-Filed exhibits and clarifications, dated October 13, 2020.	11
a)	Attachment 1 - NRCS hydrologic soil group map - east and west side	
b)	Attachment 2 - Sediment storage analysis	
c)	Attachment 3 - Revised permit drawings	
d)	Attachment 4 - Equipment pad calculations	
e)	Attachment 5 - TCLP Report	
f)	Attachment 6 - Canadian Solar letter to Gina L. Wolfman, dated August 6, 2020.	

**\*\*All exhibits were retained by the Council.**